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AN INTRODUCTION TO Mr JAMES ANDERSON's Diplomata Scotiæ.

To which is added NOTES, taken from various Authors, and Original Manuscripts.

By THOMAS RUDDIMAN, M.A.

EDINBURGH:
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THE following is a tranſlation of a laborious, and much eſteemed work, compoſed originally in Latin, by the ingenious and learned Mr Thomas Ruddiman; and, by him, prefixed as an Introduction to Mr James Anderſon's DIPLOMATA SCOTIÆ, (of which it is explanatory,) a book of high price, exceeding ſcarce, and only to be found in the cabinets of the curious; which has made it leſs known than what it deſerves. The editor has no occaſion to expatiate upon the value of this performance, as that would be rather injurious to the memory of the author; whoſe writings have been ſo univerſally eſteemed, that his name, alone, bears ſufficient evidence of its worth: he ſhall only add, as it contains many particulars, which may contribute to rectify ſome erroneous

roneous opinions, which commonly have prevailed, as to ſeveral hiſtorical facts; and gives an account of the antiquity of writings, value of money, and prices of proviſions in Scotland, in ancient times; the knowledge of which appear, at preſent, to be more than matter of curioſity; he therefore hopes, that the preſent tranſlation will not be unacceptable to the public.

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PREFACE

TO

ANDERSON's

DIPLOMATA SCOTIÆ:

By THOMAS RUDDIMAN. M.A.

I.

AT length, gentle reader, is put in your hands, a work which has been framing with no leſs expence than labour; and which Mr James Anderſon writer to the ſignet, had almoſt finiſhed. It is much to have been wiſhed for, that this celebrated gentleman, had been permitted to demonſtrate the fruits and advantages that the public was about to reap from his labours. But ſince the Governor of all things thought otherwiſe, who called him from this world to higher things; it will be ſufficient for me, who have undertaken the taſk of making a preface to another man's work, if I can explain, as clearly as poſſible, what was the deſign of the author in compoſing this work.

II.

To begin therefore, the cauſe of the performance, was ſimilar to that which gave occaſion to another of a like kind of this author; a deep rooted love for his country, which was all his life

fixed in his mind. For, in the beginning of this century, William Atwood, an Engliſhman, graſping at a vain reputation among his countrymen, renewed with a very bad and malicious deſign, a controverſy long ago laid aſide betwixt the kingdoms of Scotland and England; and with mighty, but futile endeavours, maintained, that the kings of Scotland were vaſſals to the kings of England: and in that book, produced our James Anderſon as an evidence to ſupport his fictions. He again, to wipe off this unjuſt ſtain from the name of a Scotſman, and at the ſame time, that he might free himſelf from the calumnies of the man, took up the pen againſt him; and, with a laudable endeavour, not only refutes the ſophiſm, rather than arguments, of his opponent; but alſo, with the invincible weight of reaſon, has ſo demonſtrated, that the power of the Scottiſh ſceptre was free from every foreign yoke, that he ſeems to have put the matter at laſt out of all diſpute, among the more reaſonable part of the Engliſh.

This work of our author's was ſo acceptable to all his countrymen, but eſpecially to the parliament of Scotland, that public thank and ample rewards were decreed him on that account. But the deſire of promoting the honour of his native country did not confine itſelf within theſe bounds; for, while he refuted Atwood's book, it was neceſſary for him to turn over and diſcuſs very many charters and public records of both kingdoms with the greateſt diligence; by which he found many charters, and other inſtruments, which not only did prove the independent ſovereignty of the kings of Scotland, but conduced to illuſtrate further the renown of the kingdom. The keenneſs of

of his inclination puſhed him on, to ſet agoing a greater work, which would ſhow to his readers, the honour and dignity of his native country Scotland.

But, he was not ignorant, that he was projecting a thing, not only difficult to himſelf, but alſo of greater expence, than his ſmall fortune could allow; he did not undertake the taſk, till he imparted the reaſons of his deſign, firſt to his friends, and then to the ſtates of parliament. To whom, our author's deſign appeared ſo uſeful and honourable, that having conſidered it diligently, they encouraged him to execute it with expedition; having propoſed to him no deſpicable reward.

III.

You have now had, reader, the occaſion and the beginning of this undertaking. The next thing is, to take a view of the ſeveral parts of the work, and what this gentleman reſolved with himſelf to execute on each head.

At the firſt, it is probable, that Mr Anderſon propoſed nothing elſe, than to exhibit ſome ſpecimens of charters granted by the ancient kings of Scotland, and by others, formed as like the writing of the original as was poſſible; and on the oppoſite page, copies of theſe originals expreſſed in modern characters, all ſkilfully engraved on copper plate. To which, laſtly, he ſubjoined the various characters, and contractions or abbreviations uſed in theſe times; to facilitate the reading of all inſtruments of this kind. I believe the author at firſt, had ſettled this as the bounds of his undertaking; but afterwards, partly induced by the thorough knowledge of the ſubject, partly by the

veneration he had for it, he ſubjoined the coins and medals, in place of an appendix.

IV.

The firſt, and principal diviſion of this book, contains a ſpecimen of ſome ſelect charters, granted or iſſued by the kings, or other principal men of Scotland, for three hundred or more years, that is, from the year of the Chriſtian æra, 1094, to 1412, continued in regular order. That the author did not continue it beyond this laſt period, ſeems to have been chiefly on this account, that he perceived that the characters of the letters, and the whole form of writing continued of the ſame ſhape; at leaſt, liable almoſt to no change, (which, however, he obſerved, had been changeable almoſt under each king in that more ancient period). As to what belonged to theſe later times, our author had enough of the ſeals of the reſt of our kings, from James I. of Scotland to queen Anne, to ſubjoin to this part. He has added indeed one ſingle charter of Mary queen of Scots, and of the dauphin Francis, her huſband, afterwards Francis the II. king of France. But the reaſon of his doing this was, that in that charter, Francis and Mary ſtile themſelves king and queen, not only of Scotland, but of England and Ireland: which thing, chiefly raiſed that moſt inveterate hatred, which nothing leſs than the blood of Mary could atone for to Elizabeth of England.

V.

But, although our author has deſignedly refrained from exhibiting more modern charters; yet, that he has not gone farther back than Duncan

can II.'s time, is owing to the hard fatality of our affairs, not to his inclination; who, if he could have found any older or more ancient than thoſe in the ſearch, he would have repreſented them with fidelity.

After ſo great a length of time, it cannot by any means be defined with certainty, at what preciſe time the uſe of public or private inſtruments was firſt introduced among us. But the cuſtom of neighbouring nations, among whom they were received for many centuries before, leave us no room to doubt, but the ſame cuſtom prevailed among the Scots, long before the time of Duncan II. or Malcolm Canmore, his father. It is true, that Bartholomeus Germanius, a moſt ingenious ſearcher into theſe matters, is of opinion that, tho' Mabilon exhibits theſe for genuine, which are under the Mero-vingian and Caralo-vingian line of the kings of France, are nevertheleſs forged; yet, he does not deny, that the cuſtom of writing public inſtruments was received in the ſixth century. And the reverend George Hickes, moſt expert in the antiquities of his own country, altho' he ſhows, that thoſe which are preſerved among his countrymen, for moſt part are ſpurious; yet, he informs us, that the cuſtom of making of charters and other deeds, took its riſe among the Anglo Saxons in the ſeventh century: of which he adduces (omitting others) ſome examples, to wit, the charter of Ethelbert I. king of Kent, which he aſſerts is the moſt ancient of them all; alſo of Sebbus king of the Eaſt Angles, who flouriſhed in the year 680; and of Lotharius king of Kent, to the monaſtery of Recuve, A. D. 679.

But, if the uſe of charters of this kind prevailed

ed among our neighbouring nations ſo many centuries back; it is not eaſily to be imagined, that the knowledge, and conſequently the uſe of them ſhould come to us ſo late as the eleventh century.

VI.

But if any one ſhould complain, that barbariſm (which we ſhall not altogether deny, moſt partly prevailed over our nation in thoſe ancient times) ſtood in the way of the uſe of charters being ſooner introduced among us; we may retort, not without reaſon, the neighbouring nations of the Saxons to have been no leſs barbarous. Surely, Bede, the ancienteſt of their writers, bears teſtimony, that the Scots embraced Chriſtianity long before the Saxons; who ſays, that Palladius was firſt ſent biſhop by pope Cæleſtin to the Scots believing in Chriſt, in the year 430; and the ſame author writes, that it was not till 160 years thereafter *i. e.* 590, that the Engliſh nation embraced the Chriſtian faith, by the miniſtry of Auguſtin the monk, ſent for that purpoſe to them. Every body allows, that with the purity of religion, the uſe of learning or letters was introduced; which were very rare, or not at all in this iſland before; and, together with it, a more poliſhed manner of life. I will not deny, that this feroeity of manners, which was very great, and univerſally among almoſt all the inhabitants of this iſland, could not be ſoftened in the courſe of many years, even centuries, after the light of the goſpel ſprung up or was acknowledged. And it might happen, that the grievous diſſenſion which ſo long continued between the Scotch and Engliſh about the obſervation of Eaſter, and the tonſure of the clergy, and ſome other rites, might make

make the one nation differ from the other in following their manners and inſtitutions. And therefore, that the uſe of deeds and charters, which the Anglo Saxons had received from the Gauls, the latter from the Italians, and others, ſpread itſelf ſomewhat later among the Scots.

But after that controverſy was ſopite through almoſt all Britain; and almoſt all the nations thereof, except the Britons, paſſed under the rites received in the Roman church, which was accompliſhed, as Bede bears teſtimony, about the beginning of the eighth century. It is not abſurd to believe, that the kings of Scotland and others, chiefly the followers of the monks, who not long after put themſelves under the patronage of the Roman pontiff, by degrees gave into other ceremonies and rules of life received by theſe followers.

VII.

It is certain, that about the end of this century, that is, the year 791, that moſt ancient and moſt famous league of amity betwixt the Scots and French, is ſaid to have been entered into; and which, all our writers relate, was confirmed by public inſtruments on both ſides. To omit the more modern of them, John Fordun thus expreſſly writes concerning that treaty:

" *At laſt, Charles the great, king of the Franks,*
" *ſending forth ambaſſadors every where, certain*
" *of whom were ſent to Achaius king of Scots;*
" *to whom he ſent back his ambaſſadors, that*
" *they might confirm the convention and pactions*
" *of the league entered into, under equitable con-*
" *ditions; and, that theſe being reduced into writ-*

" *ten*

" ten indentures, might be ſealed by approbation " of both kings."

I am not ignorant, that this ancient league betwixt Charles the great and our king Achaius, is held in ridicule by ſome, chiefly, by Thomas Rymer the Engliſh hiſtoriographer, and Atwood above named; who contend, that there was no league of friendſhip betwixt the Scots and French more ancient than the time of Robert II. or at leaſt, of John Baliol. But Sir Robert Sibbald has rendered their endeavours in this affair fruitleſs; who, by a diſſertation concerning this league, has proved, in my opinion, beyond controverſy, that that league had its beginning in the time of Charles the great. And the moſt celebrated and knowing of our antiquarians, Sir James Dalrymple, in his collections, Patrick Abercromby, in his Scots warriors, and before them Sir George Mackenzie, in his defence of the royal line, againſt the biſhops of St Aſaph and Peterburgh, likewiſe refute moſt fully and ſolidly, the errors of Hugh Ware and Roderick Oflaherty, who deprive the Scots in Britain of this league, and give it to the Iriſh. As to what concerns the conditions of this league, I will not affirm, that theſe given us by Hector Boece, David Chalmers, or by Veremund the Spaniard, a writer co-temporary with our Malcolm III. are genuine. The opinion of Thomas Innes, a very learned and ingenious ſearcher into the antiquities of his country, is nearer the truth; who is of opinion, that that Veremund was an impoſition, which did not make its appearance before the fifteenth century, and that the articles taken from that treaty betwixt Scotland and France, bear marks of the condition, and genius of a later age; and therefore is to be eſteemed altogether

altogether fictitious. However this be, there is nothing to hinder, us to credit the league itself to be genuine; being approven of by so many ancient writers. It is no slight support to this matter, that during the reign of Charles the great, the university of Paris was principally founded by two Scotsmen; which is asserted, not only by our own, but by foreign writers, as well as English. Passing over this, that in this, and the following century, some monasteries were founded and enlarged by men of our nation, as Marianus Scotus attests, who flourished about the year 1069, and by others. The sum of what we have said amounts to this, that the kings of Scotland in the age of Charles the great, not only established amity with him, but upon the authority of Eginhard (*his secretary*) confirmed the same, by letters to him. And since, moreover, the most celebrated university of Paris, and many very renowned monasteries over Europe, gratefully acknowledge their beginning and increase to Scotsmen; it is very agreeable to reason, that we may believe, that the custom of writing charters was in use in these times, in the end of the eighth or beginning of the ninth century: for it scarcely can be thought, that nations, betwixt whom so strict a relation had interveened, should not communicate to each other the rites and institutions so useful to mankind.

VIII.

But here, some one may suggest, if the custom of composing instruments of this kind was received among us in the time of Charles the great, it is scarce credible, that of so many, there should not remain

one of the two following centuries, *i. e.* betwixt 791 to 1094. But, though at firſt ſight, there may ſeem much weight in this argument, to weaken our opinion in this affair; there are not wanting great and weighty reaſons, which do almoſt entirely enervate and deſtroy the force of it.

And firſt, indeed the antiquity of the thing itſelf, which is above 900 years ago, is to be computed; for it is not eaſily to be imagined, that the originals of theſe inſtruments could eſcape the deſtruction of all-conſuming time. And hence it is, chiefly, that the moſt learned Germanius, in that diſcuſſion above-mentioned, concerning the ancient charters of the kings of France, denies ſuch of them as are admitted by Mabilon in his book, De re Diplomatica, not only under the Mero-vingian, but alſo under the Caralo-vingian race of the kings of France, that is, under Charles the great, Ludovicus Pius, and others, of the ſecond race of the kings of the Franks, to be genuine: his words are, "For theſe charters as they were "written on the Egyptian Papyrus, on bark, on "ſkins, which are ſubſtances periſhable of themſelves; it is incredible, that for ſo long a pe"riod of time, they ſhould have remained unhurt "from moiſture, mouldineſs, mice, and other "plagues of the like kind."

And ſecondly, though we may grant, that by care and vigilance, it might happen, that a few of theſe ancient monuments ſhould have eſcaped the teeth of moths and book-worms, and other injuries of age; there yet remained another, and no leſs grievous evil with which they had to ſtruggle; I mean theſe numberleſs and continual wars, by which our nation, as much as any other, was diſtreſſed for a long ſeries of years; either among ourſelves,

ourſelves, or with neighbouring nations, Picts, Danes, and Engliſh, amidſt the ſlaughter of ſo many men, the repeated deſtruction of ſo many cities; it rather ſeems to be more ſurpriſing, that ſo many original charters ſhould have been preſerved till our time; than if all theſe wrote in former ages ſhould have totally periſhed.

Thirdly, To this rage of war, which lays waſte and ſpoils every thing, there was a new addition, by that moſt enraged enemy of the Scots, Edward I. king of England; who, not content with having afflicted our nation with a moſt unjuſt, and at the ſame time, a moſt cruel war for many years; who, when he anxiouſly deſired, but he was not able, to impoſe the yoke of ſervitude upon a people, otherwiſe moſt brave, and particularly tenacious of liberty; at length, bent his whole mind, if poſſible, to aboliſh the memory of the Scottiſh name. With this deſign, to uſe Buchanan's words, "He eraſed our ancient laws, hiſtories, "and leagues; and took care to deſtroy the an- "cient monuments, left us either by the Ro- "mans, or erected by the Scots; tranſported "all our learned men of letters into England; and "ſent to London the marble ſtone, in which, the "vulgar were of opinion, that the fate of the "kingdoms was placed; neither left he any things "remaining, which could ſtir up generous ſpirits, "or revive the remembrance of their former happy "condition." We have other of our hiſtorians agreeing with, or rather going before Buchanan in this. As to the public records, the thing ſpeaks for itſelf; none are found in the archieves of the kingdoms, but what are poſterior to the age of that Edward. Of the more ancient that were carried away to England, many are ſaid to be yet pre-

ſerved in the Tower of London; but it is more than probable, that by far the greater part of them, and among theſe ſome, which perhaps were written in thoſe ages whereof we have ſpoken, long ago, either periſhed by the careleſſneſs or malice of the enemy, which the Engliſh generally were.

Fourthly, The reformation, put, as it were, the finiſhing hand to the deſtruction of old writings among us: for although nothing was more excellent, or more conducible for the public good, than that divine worſhip ſhould be called back to its primitive ſtate and purity. It happened however, that this thing was not gone about under the protection of the ſupreme power, but at the nod of the populace, in a mobbiſh manner: thence it came to paſs, that the common rabble, who are governed with a blind and unbridled fury, not by ſober reſolutions, when they thought that the ſuperſtitious rites of the Papiſts, could not be reformed otherwiſe; led on by a wicked ſuperſtition, poured forth their rage againſt the monaſteries; laid waſte with ſimilar deſtruction, the ancient books and charters, and other furniture found in them. When the miſerable monks and prieſts beheld what was a-doing; deſpairing of their affairs, emigrated from their country, and carried away with them every thing of the moſt valuable kind that could be ſaved from that ſhipwreck, and among the reſt, their chartularies, and other monuments of the like ſort, carrying them away to foreign countries, never to return more to Scotland.

IX.

I have dwelt longer, perhaps, than was proper, in reviewing theſe cruel diſaſters, which have befallen

fallen charters among us; but I have done it for two reaſons. Firſt, That I might ſhow, that it has not happened by the ſloth or ignorance of my countrymen; (which many are perſuaded of) but by our lamentable fate, that ſo few of the more ancient monuments of our nation now are extant. And next, that I might incite, as much as I could, our countrymen to preſerve theſe that do remain, with the greater care; and to exhibit to public view, others which lie hid in the cabinets of private perſons, at home and abroad, for the honour of the kingdom and public benefit. This was the ſcheme principally propoſed by Mr Anderſon; who laboured with ſo great diligence to diſcover them, and to illuſtrate our affairs; that what he could not find at home, he ſought for abroad, and ſearched every where. It is not our buſineſs, in this place, to ſpeak of his collections which he made, to clear up the moſt intricate hiſtory of Mary queen of Scots. It more nearly concerns our purpoſe, what he himſelf tells in his treatiſe on the independency of the crown of Scotland: that he had received and publiſhed from the chartulary of Durham, to which he got eaſy acceſs, with the greateſt generoſity, the original charters of three of our kings, Duncan II. Edgar, and Alexander I.; originals of which, could be found no where elſe, and which are exhibited firſt in his collection. And from hence ariſes another argument, confirming that which we ſaid before; *viz.* That the origin of charters was more ancient than the eleventh, and I add, than the tenth century. Since it cannot be doubted, but that theſe three princes had granted very many more charters, beſides theſe few which we owe to foreigners, in the ſpace of 30 years; for ſo many years elapſed betwixt 1093, in which Duncan

Duncan began to reign, to 1124, when Alexander I. ended his reign, all which might perish by these accidents which we have related: so that there is no wonder, that the other charters granted by the preceding kings of Scotland, should sink under the like fatality, and during this interval of time.

X.

But, that all these things may appear the more plain, I thought it would not be foreign to my purpose; if, by searching back from the age of Duncan, the period of time, I might discover particularly from our own, and from the writings of others, whatever might seem to give light to inquirers, about the antiquity of charters among us.

And first, though there exists no where, any genuine charters of our king Malcolm III. the father of Duncan II.; yet the chartulary book of the abbacy of Dunfermline monastery, founded by him, seems to signify, that there were some granted by him; for in this book, the grants of king William, Alexander II. and III. confirming his grants, and the grants and privileges of his predecessors to this monastery, generally refer to the gifts made to this religious house by Malcolm III. St Margaret his wife, as well as those by David I. and Alexander I. their sons; and which are said to be contained in writing. Likewise, in the book of the priory of St Andrews, a book of venerable antiquity, the following is to be found, "King "Malcolm and Margaret queen of Scotland, de- "voutly, bestowed the village of Ballechristin "to almighty God, and to the Culdees of Loch- "levin, with the same privileges." *i. e.* those the writer had mentioned in his former chapters; and, it is very likely, that this gift was confirmed not only by words, but by writing.

That

That which partly adds credit to this, is, that in the ſame book, mention is made of Macbeth, who reigned immediately before Malcolm III.; and which ſeems to raiſe the antiquity of charters higher among us. It is in theſe words, "Mac-"beth ſon of Finluch, beſtowed for ſupplication "of prayers, and Gruech, daughter of Bodhe, "king and queen of Scots, Kirkneſs, to al-"mighty God, and to the Keldees of the iſland "of Lochlevin, with its bounds and marches, "Theſe are the bounds and marches of Kirkneſs, "and the ſmall village called, Porthmokanene, "from the place Monlocadhan, to the river called "Levin; and in breadth, from the road which "lead to Hinhirkethyn, to the Iriſh ſtone; and "in length," &c. And a little after, concerning the ſame king and queen. "The village of "Kirkneſs, was beſtowed, with its whole privile-"ge, on God almighty and the Culdees, free of "any gift, burden, or exaction, due to the king "or king's ſon, to the ſheriff, or to any one; "and free of the burden of repairing bridges, "ſervice in the army, or of hunting; that is "beſtowed out of a view of piety, and for ſup-"plication of prayers to almighty God." For theſe words contain ſuch a minute deſcription of both the place itſelf, and of the immunities belonging to it, that they ſeem to be taken not from oral tradition, but from written charters.

XI.

But there is the leſs need for us to labour to prove, that the cuſtom of writing charters was received among the Scots in the age of Macbeth; ſince the charter of his grand father Malcolm IId. (if really his) does afford a much ſtrong-

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er proof, as it is more ancient; by which, he fixed Murthluch, a village in Banff-ſhire, to be the biſhop's ſeat, which was afterwards tranſlated to Aberdeen. We have a copy of this charter in the ancient chartulary of Aberdeen, and which Sir James Dalrymple ſays, he ſaw in other ancient collections; of which (if it be Malcolm IId's) is the oldeſt ever I ſaw. I have thought proper to ſubjoin here an exact copy of it.

" Malcolm, king of Scots, to all honeſt men, " clergy, and laity: Know, that I have given, and " by this my charter confirmed, to God, and the " bleſſed virgin, and all ſaints, and to biſhop " Beyn of Murthluch, the church of Murthluch; " that the biſhop's ſeat may be built there, with " my lands of Murthluch; the church of Cloveth, " with the land; the church of Dulmeth, with " its land; as free as I have held them, and in " pure and perpetual alms: myſelf witneſs, at " Forfar, 8th October, the year of my reign " the 6th."

I have ſaid, if this be a true charter of Malcolm IId's, for the reverend and ſkilful antiquarian William Nicolſon biſhop of Carliſle, aſcribes the erection of this biſhopric, expreſly to Malcolm III. which, if true, this inſtrument is neceſſarily of that Malcolm III, not II. But ſince all our writers, (as Dalrymple juſtly reaſons) conſtantly aſſert, that the renowned and deciſive victory over the Norwegians, was obtained by that Malcolm II. at that place; it ſcarce can be doubted, but that that biſhopric of Murthluch, afterwards of Aberdeen, had its beginning under this king: add to this, that it is ſaid in expreſs words, in that ſame book of Aberdeen; " That in the time of Mal- " colm king of Scotland, ſon of Kenach, the E-

piſcopal

"piſcopal ſee was firſt ſettled by the ſame Mal-
"colm at Murthluch," &c. But all our hiſtorians bear witneſs, that Malcolm II. not III. was ſon of Kenneth III. laſt of that name, king of Scotland. It is not to be denied, that this is ſaid to have been done in the year 1070, but Sir James Dalrymple preſumes this proceeds from the miſtake of the writer of the manuſcript, who has put 1070 for 1010, that the year 1010 correſponds with the 6th year of the reign of Malcolm II. in which this charter was granted; but the year 1070 falls not unto the 6th but 13th of Malcolm III.; ſo that if the year of Chriſt, correſponding to the 6th year of Malcolm III. was to have been marked, it ought to have been written 1063, not 1070. I omit other reaſons brought by that gentleman for his opinion, as of leſs weight; I only add this, that the tranſlation of this biſhopric, by our David I. to Aberdeen, and the endowment with ample privileges and rents, ſeems to have been the reaſon why the ſmall beginning thereof, at Murthluch, has been mentioned by our writers.

XII.

I muſt confeſs, two difficulties occur to me on this ſubject. Firſt, That before the tranſlation of this biſhop's ſee to Aberdeen, there are only mentioned three biſhops, Beyn or Beanus, (under whom, in the above-mentioned charter, it is ſaid to have been founded,) and Donertius, and Cormachus. Neither does it ſeem probable to ſome, that three biſhops, in a continued ſeries, ſhould have preſided in the church of Murthluch, from 6th of Malcolm II. to the beginning of David I. that is, from 1010, to 1124, by this means,

each of them behoved to have held the biſhopric 38 years, which is not eaſy to believe, ſince men only advanced in life, uſed to be preferred to ſuch an office: but this difficulty may be obviated more than one way; for it may be ſaid, in the firſt place, that ſome time might interveen, from the death of the preceding biſhop, to the election of the ſubſequent one; which was not uncommon in theſe days. Secondly, Nectanus, who is reckoned fourth biſhop of that ſee, in whoſe time, the tranſlation of the Epiſcopal ſee was made to Aberdeen, may be ſaid to have ſat ſeveral years at Murthluch, before he went to Aberdeen. Thirdly, It is by no means contrary to nature, that men, of the greateſt ſobriety, which the biſhops of thoſe times were, might prolong life, one after the other, for as many years as are computed in the foreſaid period. Certainly Hector Boece, who wrote a particular book of the lives of the biſhops of Aberdeen, thinks he aſſerts nothing contrary to belief, or the common lot of human affairs, when he attributes 31 years to Beanus, 43 to Donertius, and laſtly, 38 years to Cormachus. But theſe numbers joined together, make up 112; that is, from the year 1010 to the year 1122, in which laſt year, Nectanus was placed biſhop of Murthluch, and afterwards tranſlated to Aberdeen; the ſee being changed by David I. in the year 1136, as is aſſerted by Boece.

But another, and a much ſtronger argument than the firſt, is ſuggeſted againſt the charter of Malcolm II. from the words in the end of it, *teſte meipſo*. For Mabilon remarks, that this form was firſt introduced by Richard I. king of England, and derived to later kings; who further adds, that this form was peculiar, and never

ver uſed, unleſs in matters of leſſer conſequence, and which required inſtant execution. Thence, ſome charters of the kings of France ſeem to be ſuſpicious; chiefly from this, that they end by this form of words. I muſt confeſs there ariſes a great prejudice from this teſtimony of ſo great a man, againſt the authenticity of this charter; but as it is of that kind of proof called negative, nobody will eſteem it altogether invincible; for ſo many, and ſo various forms and cuſtoms of ſpeaking and writing have come into uſe, and gone into diſuſe, that it can ſcarcely be aſcertained what was or was not received in one century, by any other method, than by compariſon with other writings of the ſame age. And ſince there remains now no other charters, except that one alone, concerning which there is a doubt; it ſeems not juſt or conſonant to reaſon, to give judgment, or decide the cuſtoms of former by theſe of after times; and ſo to determine concerning the authenticity of inſtruments written in ſo diſtant a period; add to this, one thing worth obſervation, that it is not likely, that the Scots in framing their charters, ſhould leave that plain and obvious cuſtom of writing, which they had ſeen prevail in every inſtance of charters of their own country, and ſhould adopt an unuſual form, made uſe of only by the Engliſh nation, if we are to credit Mabilon. But this particular form was not ſo peculiar to the kings of England, but that the Scots might not ſometimes adopt it. For it appears from Rymer's Fædera, that our Alexander II. and III. alſo John Baliol uſed this ſame form ſometimes in their letters. But we ſhall leave this ſubject to the judgment of others more verſant

in monuments of antiquity, and paſs to other matters.

XIII.

The next thing that offers itſelf in this diſquiſition, is ſome inſtruments of the biſhops of St Andrews mentioned by our writers; which, if true and genuine, carries back the uſe of charters among us, not only beyond Duncan II. that is beyond the year 1094, but ſome of them ſeem to go beyond even the age of that Malcolm II. of whom we have made mention above. Two of theſe are mentioned by Sir James Balfour, lyon king at arms in Scotland, during the reign of Charles I. who was a ſkilled ſearcher into antiquities. Remains and fragments of the reſt, appear to me to be preſerved in the book of the Priory of St Andrews formerly mentioned; of both of theſe I muſt ſpeak in their order.

And firſt, Sir James Balfour, in the manuſcript concerning the lives of the biſhops of St Andrews, written with his own hand, preſerved in the advocates library at Edinburgh, treating of Kellach II. whom he makes 4th biſhop of that place; ſays, he had ſeen a charter granted by that biſhop to the Culdees of Lochlevin, in which he calls himſelf Greateſt Biſhop of the Scots. And of Maldevin, who is placed 6th in order, he writes, that he confirmed that donation granted by his predeceſſors to St Servanus, and to the Culdees of Lochlevin. "Of the patrimony of "*Portmohack and Kilgad*, lying near the hoſpital "*de fonte Scotiæ*, (Scotland well)," and adds, that he in that Charter, calls himſelf the humble miniſter of the church of St Andrews. Since our plan requires, that we treat a little more diſtinctly concerning

cerning both thoſe charters, we then firſt inquire particularly into their authenticity, and then of the time in which they were written.

XIV.

And firſt, the teſtimony of a man of probity and learning, ſeems ſufficiently to ſatisfy us from doubting of their authenticity. Sir James Dalrymple formerly mentioned, endeavours to render ſuſpicious the authority of the firſt, chiefly becauſe, that the title aſſumed by the biſhop of *Maximus Scotorum Epiſcopus*, is a title more agreeable to a Roman pontiff than to a biſhop of St Andrews; but this reaſon, in my judgment, ought to be eſteemed as very weak, rather as nothing, to deſtroy ſo clear a teſtimony: for ſince, in ancient times, the biſhops of St Andrews were always without controverſy, reckoned to have held the firſt place, that is, they were eſteemed higheſt and greateſt; what, pray, ſhould hinder them to aſſume to themſelves the prerogative belonging to ſo great an office in their charters? Surely, from the beginning of Chriſtianity, and the ſpreading of churches through the world, it was well ordered, that ſome one biſhop in each province, whoſe more advanced age, or the election of the reſt, or which was moſt uſual, the rank of the city in which he had fixed the ſee, ſhould intitle him to preſide over the reſt in calling of councils and ſynods; who, for this reaſon, was called FIRST or *Primus*, and was acknowledged and honoured by his ſuffragans, as their head and chief. He was the ſame called in after ages, Archbiſhop, Metropolitan, and Primate. But, that we may come cloſer to the point, there are other weighty documents, that this cuſtom of calling

calling the biſhop of St Andrews, Firſt, or Chief, is ſufficiently ancient. The firſt, and moſt remarkable, is, that which we have in John Fordun, or his Continuator, Walter Bowmaker in his Scotichronicon, and Andrew Winton in the life of king Indulphus, concerning the Caſe in which the Goſpels were preſerved in their days in the church of St Andrews, which was ornamented with ſilver plate, and this diſtich engraven upon it, which they ſaw, *viz*:

Hunc evangelii thecam conſtruxit aviti
Fothad, qui Scotis primus Epiſcopus eſt.

ENGLISHED.

Fothad, the chief biſhop among the Scots, made this Caſe for the ancient Goſpels.

Manuſcripts, indeed, vary in writing theſe verſes, in other manuſcript copies of Fordun, we find *avites* and *avitus*, but in Winton and Hearne's edition of Fordun, we find it put contrary to the rules of verſe, thus:

Fodach, qui primus Scotiæ Epiſcopus erit. But in the excerpts from the regiſter of the priory of St Andrews, that whole matter is narrated much clearer, thus; "The biſhop of St Andrews is "called biſhop of the Scots; and, ſo they are to "be found called in ancient and modern writings, "chief biſhops of the Scots; therefore, Fothad, the "biſhop, cauſed write upon the Caſe of the Goſpels "(the above diſtich). So now alſo, in vulgar and "common way of ſpeaking, they are called *Eſcop "Alban*, that is, Alban biſhops; ſo they are called "by pre-eminence, by the whole of the Scot's biſhops,

" ſhops, who are *themſelves* named from the place
" over which they preſide." Thus it is plain, *aviti* not *avitus*, was inſcribed on that Caſe, for the word *aviti* refers to the word *evangelii*, not to Fothadus; who, if he himſelf had cauſed write this diſtich, could by no means call himſelf *avitus*, that is *priſcus* or *vetuſtus*, old or ancient. Whether *primus* or *ſummus* be the ſoundeſt reading, it matters not; for the thing ſtill recurs to the ſame, whether of the two Fothadus be honoured with. But, that the biſhops of St Andrews, in ancient times, were uſed to be called *Summi*, is put beyond all doubt, by that remarkable epiſtle concerning the primacy of the ſee of York, in Scotland, by one *Nicolaus, to Eadmerus, by the grace of God, biſhop elect of the ſee of St Andrews*, written during the reign of Alexander I. in theſe words, " The church of York
" gave up claiming the primacy of Scotland,
" which, how can it have? when the biſhop of St
" Andrews is deſigned Summus Pontifex Scoto-
" rum; but he is not chief, unleſs he be above o-
" thers; but he that is above other biſhops, what
" is he elſe than archbiſhop? altho' the barbarity
" of the nation know not the honour of the *Pali-*
" *um*. If ever, I ſay, the biſhop of York had ſuper-
" eminence over him who is called chief biſhop
" of his nation, he would now, not only be Metro-
" politane, but even Primate of another kingdom."
Moreover, from this epiſtle, whoſe author was Nicolaus, prior of Wigorn, who died, as Wharton thinks, in the year 1124; we have the ſtrongeſt evidence, and by the by, almoſt invincible, from an adverſary an Engliſhman, concernining the immunity of the Scottiſh church, from the juriſdiction of the church of York. For which reaſon, I wonder that Sir Robert Sibbald, in his book concerning

cerning the independency of the kingdom and church of Scotland, otherwiſe excellently written, ſhould not have mentioned this epiſtle publiſhed twelve years before; what increaſes the wonder more, is, that Sir Robert Sibbald adduces in the ſame treatiſe, from Tom 2d, Wharton's works, the charter by Turſtinus biſhop of York, which immediately follows that epiſtle of Nicolaus, concerning the conſecration of Robert, biſhop of St Andrews; of which, I cannot conjecture any other reaſon, than that the copy made uſe of by that gentleman, had wanted the leaves containing the epiſtle of Nicolaus. That Sir James Dalrymple ſhould paſs over in ſilence, (while treating of the immunity of the Scottiſh church) this epiſtle of Nicolaus, though he cites ſome other things from Wharton's works. The reaſon diſcovers itſelf clearly, becauſe he perceived that there were many things in that epiſtle, and chiefly the words which we above adduced, much contrary to his reaſoning.

But to return to our purpoſe, ſince it is ſufficiently clear, from what is ſaid, that the biſhops of St Andrews, almoſt from their firſt origin, were uſed to be ſtiled, Firſt or chief biſhops of the Scots; it truly ſeems impertinent and againſt reaſon, that they ſhould be hindred from aſſuming a title, by which others were honoured. For if they were allowed to call themſelves Summi, why ſhould they not be allowed to ſtile themſelves Maximi, (ſince this laſt word is of the ſame force and ſignification.) It is certain, thoſe who preſided over holy things, were ſtiled Pontifices Maximi; which title all the emperors did aſſume, from Julius Cæſar to Conſtantine the great. From about the time, that impious ce-

remonies

remonies of the Pagan gods being rejected, and the purity of the Chriſtian religion protected, or confirmed by laws through all the Roman empire; the management of divine worſhip was only permitted to men choſen and ordained for that office, and the title of Pontifex Maximus, or Summus, (*high prieſt*) was transferred to the firſt Biſhops of each province. Thence the Roman biſhops almoſt always call themſelves Pontifices Maximi, for many centuries back, in their coins and inſcriptions. But if theſe Roman prieſts, who for a long time arrogated to themſelves the biſhoprics of the catholic church, and therefore called themſelves peremptorily Pontifices Maximi; why ſhould it not be lawful for theſe who preſided over the biſhops, in each nation or province, to call themſelves frequently *Summi vel Maximi* (chief or greateſt) biſhops of that nation or province? As to the biſhops of the Scots, another and particular reaſon preſented itſelf, why ſuch of them as preſided over the reſt, ſhould take to themſelves this title, was, that according to the teſtimony of all our writers, in theſe ancient times, there were no certain bounds aſſigned to our biſhops, but each went about his office where occaſion offered: by which it happened, that he who preſided over the reſt in dignity, might the more eaſily be diſtinguiſhed from thoſe, who were in general called biſhops of the Scots, it ſeemed neceſſary for him to take the appellation of *Summus* or *Maximus*. I know, that in after times, when each came to have his proper ſee and territory in Scotland aſſigned to him, that the biſhops of St Andrews frequently were accuſtomed to ſtile themſelves biſhops of the Scots, omitting

the word Maximus (chief.) Of which thing, the charters before written, in the regiſter of St Andrews, ſo often cited, does afford inſtances of Robert and Arnald, who flouriſhed under David I. In which book, they whom we juſt have mentioned, called themſelves ſometimes biſhops of the Scots, and ſometimes *Humiles Miniſtri*, (humble miniſters) of St Andrews; with which laſt title, their ſucceſſors were almoſt always ſatisfied, till in after times, the ſee of St Andrews was advanced to the honour of an archbiſhopric, (in the year 1472.) The ſubſequent biſhops of this ſee, after the manner of other archbiſhops in the Chriſtian world, took ſtill a more modeſt appellation, and called themſelves *Humillimos* (moſt humble) ſervants: although in David I's time, and ſome time after, the biſhops of St Andrews pleaſed to deſign themſelves ſimply biſhops of the Scots; that does not hinder, but that in very ancient times, which preceded thoſe ages, when there was no certain bounds deſtined for going about their office, he who excelled in dignity was honoured with the name of Firſt, Chief, or Greateſt. But that almoſt every handle of doubt concerning this affair, if poſſible, may be removed, is done, by what Hector Boece, writing concerning Kenneth II. expreſsly informs us, in the following words, "He tranſlated the biſhops ſeat, of the Picts, "from the town of Abernethy, deſtroyed with "fire and ſword, to the St Regulus's church. "From thence, the church of St Andrews gave "name to the town, and they called the officers "who managed religious affairs, for a little time, "the greateſt biſhops of the Scots." Spotiſwood and George Martin of Cameron, aſſert the ſame; but Dalrymple cites Martin as relating this, and tells

tells, that he took from the ſame book, written in Latin, what he had before cited, concerning the biſhops and archbiſhops of St Andrews. Laſtly, From what has been ſaid, It is moſt likely, that others beſide Sir James Balfour, had inſpected the charters bearing the ſtile of *Maximus*. But Dalrymple himſelf denies "That he had ſo bad an "opinion of Balfour, ſo as to think, that the "foregoing inſtrument of Kellach had been "forged by him; on the contrary, he belie-"ved, that a copy of it, or ſome writing con-"cerning it, had been ſeen ſomewhere by Bal-"four: only he ſuſpected, that the original "charter itſelf was never ſeen by him, other-"wiſe he would not be free of blame, who did "not inform us more certainly of this matter." However this may be, it ſeems ſufficient for our purpoſe, if it be allowed, that this inſtrument, whatever it be, or however written by this biſhop, did ever exiſt. Dalrymple does not controvert the authenticity of the charter, which Balfour ſays was granted by Maldowine; only he again, from the moſt modeſt title of Humble miniſter of the church of St Andrews, makes a handle of doubt about the charter of that Kellach, becauſe he aſſumes too arrogant a title. But we have ſhown before, that the title aſſumed by Kellach in his charter, was by no means either proud or arrogant, but true and proper, and very neceſſary for theſe times; nor ought the more humble title, with which his ſucceſſors were content, to detract from its credit. Nor is this more to be wondered at, than that, the Roman pontiffs, who ſometimes aſſumed the proudeſt, and even divine honours, in their bulls, deſign themſelves the Ser-

vants of the ſervants of God, from the time of Gregory the great: than which title, nothing could be contrived more humble or abject. But to leave the Roman biſhops; Mabilon remarks, that others, in the beginning of the eleventh century, were honoured or ſtiled *Summi Præſules et Pontifices*. And it is aſſerted, from the Spicelegium of Dacher, that among the Iriſh princes ſometimes their kings were ſo ſtiled.

XV.

Hitherto, enough has been ſaid concerning the authenticity of theſe charters; the next thing is, to enquire into the age in which they were written; and here, there is ſo ſurpriſing a diſcrepancy among the writers, in deſcribing the ſeries and age of our ancient biſhops of St Andrews to Eadmerus, that they can ſcarcely be followed. Andrew Winton makes mention of ſeveral of theſe, detachedly in his chronicle; but George Martin mentions the moſt remarkable: but of theſe, I have obſerved, there are only three who pretend to exhibit a full catalogue of them, *viz.* Fordun, Spotiſwood, and Balfour. The following ſhort table will ſhow, in what order they have placed them, to the ſaid Eadmerus, that is, to the year 1120.

Fordun.	Spotiswood.	Balfour.
1 Fothad	1 Hadrianus	1 Sfothad
2 Kellach, I.	2 Kellach, I.	2 Kellach, I.
3 Malisius, I.	3 Malisius, I.	3 Kellach, II.
4 Kellach, II.	4 Kellach, II.	4 Malisius
5 Malmore	5 Malmore	5 Malisius Albuinus.
6 Malisius, II.	6 Malisius	6 Malisius, also called Tuthaldus
7 Alwinus	7 Alwinus	7 Sfothad, II.
8 Maldwinus	8 Malduinus	8 Gregorius
9 Tuchald	9 Tuchald	9 Catharus
10 Fothald	10 Fothadus	10 Edumarus
11 Gregorius	11 Gregorius	11 Godricus
12 Edmarus	12 Turgotus	12 Turgotus
13 Godricus	13 Godricus	
14 Turgotus	14 Eadmerus	
15 Eadmerus		

In these catalogues, some are altogether omitted; and others, two are made one; lastly, others placed in an inverted order. For 1st, Spotiswood passing by Fothad, names Hadrian in place of him, first bishop of the see, for no other cause, but because Boece calls him the chief bishop of the Scots, who was killed by the Danes in the island of May, in the year 872, during the reign of our Constantine II.; but, as in the time of Constantine II, the Scots bishops had no fixed sees, that Hadrian might have been one of their number, and the chief, although he did not hold the see of St Andrews, which strictly speaking, did not then exist. 2dly, Balfour makes Malisius and Alwinus, (or Albuinus, as he calls him,) also Maldwinus and Tuthaldus, all one and the same bishop, who are determined by Fordun, Spotiswood, and others, to be different persons.

perſons. 3dly, Spotiſwood gives Gregorius as, ſucceſſor to him, whom Fordun calls Cathre, and Balfour, Catharus, omitting Edmund, who is called by them Edmarus or Edumerus. 4thly, The ſame Spotiſwood, and alſo Martin, prefixes Turgot to Godric, whom almoſt all of them poſtpone to him; nor do writers differ leſs about the time when each entered his biſhopric, and the number of years they governed the ſee, as we ſhall afterwards ſee.

XVI.

That we may therefore, diſcover the truth, or ſomething near the truth, among ſo different and contradictory narratives; it is to be firſt laid down as a foundation, that ſuch of our authors as are prior in time, their authority is preferable in this matter. Since therefore, Fordun, or his Continuator Bowmaker, preceded Spotiſwood and his coeval Balfour almoſt 200 years; it is more becoming, that we ſhould follow the authority of the former than the latter, in this diſquiſition; unleſs there be very weighty reaſons to the contrary: following, therefore, this rule, which no body will deny is juſt and equal, let us proceed to the thing itſelf.

And here, in the entry, no ſmall difficulty preſents itſelf, that Fothad, who is firſt in the liſt of Fordun, as biſhop of St Andrews, was driven out of his ſee by king Indulphus, and is ſaid to have lived eight years after being deprived; and yet the ſame Fordun, in another place, whom Winton follows, makes Kellach, who is placed immediately after Fothad in the liſt, I ſay, they make him co-temporary with king Gregory. But as Dalrymple rightly obſerves, this can by no means

agree

agree together, from this, that Indulphus not only was poſterior, but even is ſaid to have ſucceeded to the kingdom 58 years after the death of Gregorius, as all our hiſtorians and Fordun himſelf do agree; and from thence it is, Dalrymple ſays, he believes that this Kellach, who lived in the time of Gregory, was not biſhop but preſbyter; and from the ſame cauſe alſo, it is, that Spotiſwood altogether omits him in numbering over the biſhops of this ſee. But there is a much more eaſy reconciliation of theſe matters; if we ſay that the order of biſhops in this cataolgue of Fordun's has been miſplaced, and that Kellach was not the ſecond, but the firſt biſhop of St Andrews; and the following things will confirm, that this is not raſhly nor unreaſonably offered by me.

1ſt, Winton mentions Kellach, not as ſecond biſhop, which Dalrymple ſays, but mentions him firſt biſhop of St Andrews.

2dly, Fordun expreſsly ſays, in the life of Gregorius, "In his time, Kellach was biſhop of Kil-"reymon, *i. e.* of St Andrews, which was the "ancient name of the place." Which, if true, he muſt neceſſarily have been prior to Fothad, who lived in the time of king Indulphus, that is, 43 years at leaſt after.

3dly, What ſeems much ſtronger in the book of Coupar, the writing of which, as I think, is of the age of our James II. Fothadus is only placed in the ſecond place; the words of which I have thought proper to ſubjoin, that every thing may be as clear as poſſible. "It ſeemed proper to me, "to inſert what concerns the biſhops of St An-"drews, ſucceſſively, from the time of king Ken-"neth, firſt monarch of both kingdoms, Pictiſh

and

" and Scottiſh, which now make one kingdom of " the Scots, who deſtroyed the Picts and their " affairs; chiefly, when each of them for the " time, was held in the kingdom, not primate, " but firſt and chief; becauſe, as they are in- " ſert here and there according to our annals, " the chronology of them will be faintly found " out. Kellach was firſt, Fothad ſecond, who, " after he had been long time biſhop, was expel- " led by king Indulf, and lived after his expul- " ſion eight years, and died on the fourth of the " nones of May. Some hold that he was firſt bi- " ſhop, concerning whom, I have ſo found en- " graved on ſilver, in the circumference of the text " of the Evangeliſt, preſerved to this day in St " Andrews."

Hanc evangelii thecam conſtruxit avites
Fothad, qui primus Scotis Epiſcopus eſt.

Thus far the book of Coupar; and it is clear from the laſt words, that he puts Fothad in the ſecond place, not through inadvertency, but of deſign, when he immediately adds, " That ſome " hold that he was firſt biſhop." For likewiſe, even at that time, the ambiguous acceptation of the word Primus in this diſtich, deceived thoſe that wrote about the biſhops of St Andrews, in the ſame manner as Dalrymple; and this was the leſs to be wondered at in Dalrymple, when the chief deſign of that gentlemen through his whole work, appears to be, not to ſhow, that the Romiſh rites, but that the government of the church by biſhops, was received much later than is commonly thought, only in the tenth century; which is to be attributed to a bias that this eſteem-

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ed writer had toward the preſbyterian party. But it is moſt wonderful, that Fordun or Bowmaker, and their aſſociates, in whoſe age this diſpute concerning church goverment was unknown, ſhould ſuffer themſelves to be deceived with the ambiguity of the word *primus*; more eſpecially, as a little before, that word is taken in the ſame ſenſe, in which it is by the author, whoever he was: for ſo he ſays, "When each of them, for the "time, was reckoned not *primas* but *primus et* "*precipuus* in the kingdom;" for he ſays, not as primus, not that theſe biſhops of St Andrews were not truly primates, that is, held the primacy above all the reſt, but only that they had not as yet acquired that title of honour. As to the thing itſelf, it cannot be from thence reaſoned, that becauſe Fothad is ſtiled firſt of the biſhops of the Scots, that therefore there were no biſhops in Scotland before his time, no more than, that, becauſe the poet Martial calls Salluſt firſt in the Roman hiſtory, that he is therefore the ancienteſt writer of the Roman affairs; or from this, that becauſe St Peter is called by St Matthew the firſt, we ſhould thence infer, that he was choſen to that office before all others; when many think, that his brother Andrew was called upon as a diſciple before him. Many even of thoſe who have rejected the errors of popery, do interpret, that by this word primus, certain pre-eminence is meant to Peter in the college of the apoſtles. But laying aſide theſe things.

Fourthly, That which puts this affair beyond doubt, is a ſmall, but by far the moſt ancient fragment of any of our writers now extant, entitled "Excerpts from an ancient chronicle of "the kings of Scotland, from Kenneth MacAlpin

" to MacMalcolm, *i. e.* from Kenneth II. the ſon " of Alpin, to Kenneth III. the ſon of Malcolm " or Malcolm I." The above-mentioned Thomas Innes publiſhed it from a manuſcript, preſerved in the Colbertin library at Paris. The writer of this fragment, whoever he was, treating of Conſtantine III. king of Scots, ſays, " That " Kellach the biſhop of St Andrews vowed, " that the laws and diſcipline of faith, and the " rights of churches and the preachers ſhould be " preſerved with the Scots, in the mount of be- " lief or credulity, near the royal city Scone." Innes places this about the year 806, and the ſixth year of that Conſtantine. Afterward, writting of Duffus, (whom he calls black, ſubſtituting the Latin word *niger*, for the Scots word,) who was ſucceſſor and brother to Indulph, has theſe words: " In his time, ſays he, Fothach " the biſhop died." This is that Fothadus, who, Fordun ſays, was expelled by king Indulphus, and lived eight years thereafter. The next whom that author mentions to be biſhop, is Maelbriget, who died under Culenrig, *i. e.* under Culenus ſon of Indulphus. Then he gives for his ſucceſſor, Kelach ſon of Ferdulaig; whom, he ſays, governed the church in the time of the ſame Culenus. Here we have four biſhops, Kellach I. Fothad, Maelbriget, (who, without doubt, is the ſame that is called by Fordun and others Maliſius) and Kellach II. who is alſo called ſon of Ferdlag or Ferdlaig. Theſe things being ſettled, from the moſt ancient writers of our affairs; the firſt four biſhops of St Andrews are to be placed in this order for a ſeries of years.

I. Kellach I. was made biſhop before 892 or 893, in which year, king Gregory died; he celebrats a provincial

provincial council 806; how long he lived is uncertain.

II. Fothad, it is uncertain in what year he was made biſhop; he was driven from his biſhopric in the firſt year of Indulphus, that is, the year 852; he died in the firſt or ſecond year of king Duff, that is, 861 or 862.

III. Maliſius, was choſen in the reign of Duffus; he held the biſhopric eight years; and died under king Culen, about the year 870.

IV. Kellach II. ſon of Ferdlag, was elected biſhop about the year 871; confirmed, as is believed, by the Roman pontiff the ſame year; after he had holden the biſhopric 25 years, he died, about the year 896.

According to this ſeries, which if not the true one, we doubt not, is nearer the truth by far than the reſt; and it is evident, upon the firſt inſpection, that the charter of Kellach II. which Balfour ſays he had ſeen, was written before the year 896; and therefore, near one hundred years older than the charter of Duncan II. which is firſt exhibited in Anderſon's book of Diplomata.

XVII.

It remains next, I ſhould add ſomething concerning the charter of biſhop Maldwin, mentioned by Sir James Balfour, and the age in which it was written; but firſt, before I come to it, I hope it will not be foreign to the point, to remark ſome other miſtakes, and theſe very groſs ones, committed by the more modern of our writers, in framing the chronology of the reſt of the biſhops of St Andrews, to Robert the ſucceſſor of Eadmerus. And here, two or three miſtakes of Spotiſwood offer themſelves,

ariſing from the former, (for error is never almoſt ſingle, but one draws after it another,) for he, after he gave Kellach a ſucceſſor, who, he ſays, was killed by the Danes, in the year 872; and to this again, (omitting Fothad) Maliſius, then to Maliſius I. Kellach II. as the proportion of time ſuits him, writes, that Maliſius I. lived in the time of king Gregory, but Kellach, in the time of Conſtantine III; by which means, Kellach I. (though he does not affirm it) muſt have lived during the reign of Ethus the ſwift, or Conſtantine II.: but here, it is eaſy for any one to perceive a diſcrepancy of the order of chronology, and contrary to the authority of the more ancient of our writers; and for that reaſon, the beſt authority, *viz.* of Fordun, Winton, and chiefly that ancient fragment, of which we ſpoke, whereby almoſt 70 years are anticipated. From the ſame foundation, it is, that a little after, treating of the ſucceſſors of Kellach II. he produces nothing concerning the firſt five, Malmorius, Maliſius II. Alwinus, Malwinus, ſon of Giladris or Gilandris, and Tuthald, unleſs it be giving their names; only he tells us, that Alwin ſat five years, and that in the time of Tuthald, the controverſy concerning the celibacy of the clergy, was violently agitated about the year 877: and theſe ſcarcely agree among themſelves, far leſs with what we have related above. Moreover, hurried away by the ſame miſtake, he makes Fothad, whom he places ſucceſſor of Tuthald, and the 10th biſhop of St Andrews, who conciliated a peace betwixt Grimus and Conſtantine IV. diſputing about the kingdom, that is about the year 894. Boece narrates the ſame thing, about a certain venerable and holy man, Fothadus, and from him, ſo does Leſley and Buchanan; but

but none of them calls this Fothadus biſhop of St Andrews, for Leſley and Buchanan, calls him ſimply biſhop, but Boece calls him chief biſhop of the Scots; and by this deſcription, ſeems to mark him as biſhop of St Andrews. But whoever this man was, or of whatever place he was biſhop, he muſt have been different from him, who is numbered as 10th biſhop of that ſee by Fordun, and by Spotiſwood himſelf; for (beſides, that the biſhopric of Kellach II. muſt be lengthed to the year 896) from what is to be found in Fordun, and the ancient fragment, there are five biſhops placed betwixt him and this Fothad by Spotiſwood himſelf, *viz.* Malmorius, Maliſius II. Alwin, Maldwin, and Tuthald, whoſe chronology muſt fall far beyond the 894, if taken together. What further ſhows the groſs error thro' all this whole ſeries of Spotiſwood's, is what is delivered by him concerning the next ſucceſſor of Fothad; namely, this Gregorius is ſaid by Spotiſwood, to be elected and conſecrated before the armies of Danes or Norwegians were defeat by Malcolm II. in the year 1010; but whoſe biſhopric is lengthened out by him to the beginning of William Rufus's reign, that is to 1087: by this means, it muſt be ſaid, that this Gregory enjoyed this ſacred office, at leaſt 77 years; which, ſince, the like never happened any where elſe, nor ever was related or heard of before, it muſt be eſteemed to be aſſerted without evidence, and ſo exceeds the bounds of credibility. Certainly our more ancient writers, are ſo far from agreeing with Spotiſwood in this point, that although they in ſome things differ among themſelves, yet all diſagree with him.

For

For Fordun, or his continuator Bowmaker, do ſtrictly purſue, in the following order of the biſhops, after Kellach II. to Turgot. "Then (ſays "he) Malmore, Maliſius II. Alwin, who was "three years in the biſhopric; Maldwin the ſon "of Gilladris; Tuchald, four years; Fothald, "Gregory, Cathre, Edmarus, and Godric, en-"joyed the biſhopric, being choſen to it. In "the year of our Lord 1109, Turgot, prior of "Durham, was elected on the feaſt of the "tranſlation of St Auguſtine, and being conſe-"crated, was near ſeven years biſhop." From which words, nothing certain can be drawn, regarding the ſeries of years, from the 896 to 1009. Winton, a little more exact, makes Maliſius II. firſt ſucceſſor to Kellach II. (inverting Fordun's order) and then Malmerius, no way fixing any preciſe periods; only, that theſe biſhops were prior to the pope Gregory VI. who began his pontificat in the year 1044. After Malmerius, he mentions biſhops of St Andrews, Alwin, Maldwin the ſon of Gillander, and Tuald, or Tuthald; to the firſt he aſſigns three, and to the ſecond 27 years; he does not define the years of the third, unleſs, that in his time, Nicolaus held the popedom at Rome; which was from the year 1059 to 1061; but Fordun, not numbering the years that Maldwin was biſhop, gives 40 years to Tuthald. To this Tuthald, Winton makes Fothad ſucceſſor; who, he ſays, joined in marriage, Malcolm III. and St Margaret; which the chronicle of Melroſe relates was done in the year 1077; others, in the year 1069, and more exactly, Sir James Dalrymple, from the Saxon chronicle, conjectures theſe nuptials to have been in 1070; after Fothad, he names Turgot, about the end of our king Edgar's

gar's reign, that is, in the year 1107; in which year, Simon of Durham, writes, that he was elected; and that he was conſecrated in the year 1109, in which year, Fordun erroneouſly places his election.

In the chronicle of the biſhops of St Andrews, given us by Winton, not only Gregory, (whoſe biſhopric, Spotiſwood, as is above obſerved, prolongs beyond the uſual limits of human life,) is omitted, but Cathre, Eadmarus, and Godric, mentioned by Fordun; but that ſeems to be done by him, for this reaſon, that all theſe, though elected, (yet probably, on account of the controverſy being ſtrongly agitated betwixt St Andrews and York,) were not as yet conſecrated. Fordun expreſsly ſays, that all theſe died elect biſhops. But there a ſtrange inadvertancy of Spotiſwood diſcovers itſelf; for he ſays, that Grodric ſucceeded Turgot, and that he anointed our king Edgar, in the year 1098, and yet plainly contradicting himſelf; for by this means, he writes, that his predeceſſor Turgot, held the ſee 25 or 26 years, and died 1097; ſo it behoved to be, that he muſt have got poſſeſſion of that honour, ſix years before Edgar, (whom he will have, to have been anointed by his ſucceſſor Godric, in the year 1098,) and to have held it after his death ten years; but it is clear, from Simon of Durham, that Turgot ſat biſhop in the year 1107, (that is, Godric was biſhop when Edgar died) and that he held the ſee, only eight years, two months, and ten days. But the author of the appendix, ſubjoined to Spotiſwood's hiſtory, when he endeavours to reconcile theſe matters, recedes very far from the truth; for, he makes Turgot enter his biſhopric *anno* 1063; that

that Godric ſucceeded him 1098; to this laſt, Eadmerus 1010, and to him again, Robert 1114; according to which calculation, Godricus is placed after Turgot, whom he ought to have put before him.

But the biſhopric of Turgot, is anticipated 44 years; of Eadmerus, ten years, of Robert, eight years; when, it is plain, from undoubted documents, that Turgot was elected in the year 1107, Eadmerus 1120, and Robert 1122.

But leaving theſe; to return to our purpoſe, the chronology of the biſhops of St Andrews from Kellach II. compared together, the following things may be diſcovered from our writer, now extant, and others; concerning theſe biſhops, from Kellach II. to Robert, who ſucceeded Eadmerus.

5 and 6 Maliſius and Malmerius, from 996 to 1031.

7 Alwinus, from 1031 to 1034.

8 Maldwinus, from 1034 to 1061.

9 Tuthaldus, from 1061 to 1065.

10 Fothaldus, from 1065 to 1077.

11 Gregorius, 12 Catharus, 13 Eadmerus, and, 14 Godricus, were elected; but died before their conſecration, betwixt the year 1077 to 1107.

15 Turgotus, from 1107 to 1115.

The ſee vacant in the year 1120.

16 Eadmerus, monk of Canturbery, ſent for by Alexander I. and choſen biſhop 1120; but, when the king would not allow him to be conſecrated by the archbiſhop of Canturbery, he retired in diſguſt to his own country.

17 Robert, prior of Scone, elected 1122, but not conſecrated till 1128, without profeſ-

ſion

ſion of obedience to Turſtin, biſhop of York, if we are to believe the Continuator of Florence of Wighorn; though Fordun ſays he was conſecrated two years after his election, that is, 1125; and Dalrymple thinks it was done 1126, and ſhows it could not be later than 1127.

XVIII.

I have remained the longer upon theſe obſervations, not only that I might demonſtrate, that the uſe of charters was more ancient among us, than ſome, perhaps, have thought; but alſo, that I might throw light on our hiſtory, in ſettling the age and ſucceſſion of the biſhops of St Andrews, and make it clearer than hitherto has been done. To return to what I propoſed in this diſquiſition; it appears, from what has been ſaid, that the charter, which Balfour ſays he ſaw, of Maldwin's, was granted betwixt 1034 and 1061; from whence, it is likely, that another donation of the ſame Maldwin, of which, mention is made in the ſo often cited book of the priory of St Andrews, in the following words, "Maldwinus, biſhop of "St Andrews, beſtowed the church of Mark-"inſh, with its whole land, honourably and de-"voutly on God, and St Servanus, and the Ke-"ledees of the iſland of Lochlevin, with the "foreſaid liberty." I ſay, that this charter was committed to writing, and we may be allowed to conjecture the ſame thing concerning two other donations granted to the ſame monks, by the next ſucceſſors of Maldwin, *viz.* Tuthald and Fothad, mentioned in the ſame book, which are thus: "Tuadal, biſhop of St Andrews, be-"ſtowed the church of Sconyn, on the foreſaid

" religious men, devoutly and entirely, with e-
" very liberty and honour, for ſupplication of
" prayers. Alſo, Modath, ſon of Malmyhel, a
" man of moſt pious memory, biſhop of St An-
" drews, by whoſe life and doctrine, the whole
" country of Scotland, is moſt happily enlighten-
" ed, beſtowed on God, and St Servanus, and
" the Keledees hermits living in the ſchool of
" virtue, at the iſland Lochlevin, the church
" of Hurhendorath, devoutly, honourably, with
" the foreſaid priviledges, &c." For this narra-
tion, made about things of the ſame kind in ſo
different a ſtyle, ſeems to carry along with it evi-
dence, that it was drawn up originally in theſe
written words. As to Tuadal being written for
Tuthald; or for Fothad or Fothald, Modath;
this might proceed from the length or change of
time, or from the miſtakes of the copiators.

XIX.

Hitherto ſearching into the antiquity of char-
ters beyond Duncan II's time, *i. e.* 1094, we
ſeem to have diſcovered ſomewhere no contemp-
tible remains, in the time of Malcolm III. Mac-
beth, Malcolm II. and laſtly, Conſtantine IV. as
far back as 996. But ſearching further back,
although proof of theſe, equally clear with the
foregoing, do not offer themſelves; yet there are
extant ſome places in our hiſtorians, which in
ſome manner import, that the uſe of charters
had not been unknown among us, even in theſe
former ages.

The firſt, is what is related of the illuſtrious
Gregory king of Scotland, by ſeverals, but chief-
ly by Fordun, in theſe words: " Nor was he in
" the beginning of his reign unmindful of divine
" worſhip

" worſhip, for he granted perpetual priviledge " to the church of God and eccleſiaſtical perſons, " with the conſent of his nobles, which was con- " firmed by pope John VIII. who celebrated the " fourth general ſynod of Conſtantinople : for as " yet, the church was kept under by ſervitude, ac- " cording to the rites obſerved among the Picts." That the priviledges and liberty granted to eccleſiaſtics by king Gregory, was committed to writing, may be eaſily believed, from what Fordun ſays, of their being confirmed by pope John VIII. who held the popedom from 872 to 882 : for, ſince, the confirmations of the Roman pontiffs in theſe more ancient times, uſed to be completed only by certain letters called Bulls, there is ſcarce a doubt, but the things themſelves which were to be confirmed, muſt have been tranſmitted to the pope in writing, for his confirmation. If this be true, it is to be believed, that the cuſtom of writing charters prevailed among us even in the ninth century. What adds ſome weight to the credibility of this, is what is related by our Buchanan of the ſame king Gregory, who, when he had told, that he had revenged the injuries done to the Scots by the Iriſh, and had undertaken the tutory of their king, who was a boy, immediately adds, " He exacted an oath from " his nobles, that they would never admit any " Engliſh, Briton, nor Dane into the iſland, " without a charter from him."

2. The foreſaid chartulary of St Andrews ſeems to afford us another argument for this, but ſupported on leſs probability, in which we find it written, " Brude, ſon of Dergard, who was laſt " king of the Picts, according to ancient tradi- " tions, beſtowed the iſland of Lochlevin on al-

" mighty God, and St Servanus, and the Keledees " hermits, reſiding there and ſerving God, and " who are to continue to ſerve him in that iſland." Which laſt words ſeem to inſinuate, that this grant was not made by words alone, but perfected by a ſymbol of delivery, which was the cuſtom in very ancient times, before the invention of charters, but likewiſe, that it was reduced into writing, under form of an inſtrument. If then the uſe of charters was received among the Picts, that is, before the 842, (in which year, Thomas Innes is of opinion, the laſt king of the Picts died, or more rightly Fordun, before the 838,) it can ſcarcely be doubted, but that the ſame cuſtom obtained at the ſame time, among a people ſo near neighbours, and otherwiſe ſo cloſely connected. But that I may not diſſemble any thing in this matter; it might happen, that this writer in giving this donation by Brude, might have followed, in ſome manner, the cuſtom of his own time, in which all alienations, of whatever moment, were completed by the intervention of writing. If this evidence ſeems to any one to be of leſs weight, I will not diſpute it: but what follows in the ſame excerpts, ſeems to contribute to ſtrengthen my opinion, " And the foreſaid Kele- " dees, give the place with the cell to the biſhops " of St Andrews, under this form, That the biſhop " ſhould furniſh them meat and clothing; and that " no one might be ignorant, who beſtowed that " place upon the biſhop, Ronn, monk and abbot, " a man of admirable ſanctity, firſt granted that " place, for a time, to the biſhop, *viz.* to Foth " ſon of Bren, who then was, and yet is of a " famous and laudible life throughout all Scot- " land. The before mentioned biſhop, gave his

" benediction

" benediction fully to all thoſe who ſhould ob-
" ſerve that agreement and friendſhip, entered
" into betwixt the biſhop and Keledees; and, on
" the other hand, beſtowed his curſe on all biſhops
" who ſhould weaken or recal the foreſaid agree-
" ment." In this narrative, the words (*ſub tali forma*) in ſuch form, bears ſome mark that the *agreement* (for it is twice ſo called) was reduced into the form of a charter, for the greater authenticity. To the ſame belongs the words *benediction* and *malediction* of the biſhop; for then, and long after, it was a ſolemnity for the biſhops to devote to curſes the violators of their charters. But what is chiefly to be here noticed is, that biſhop Fothath or Fothad, mentioned in this excerpt, is the very ſame, to whom the diſtich which we ſaid was inſcribed on the cover of the Goſpels, anciently preſerved at St Andrews, does belong, who was not firſt, as Dalrymple would have, but as we have ſhown above, was ſecond biſhop of that ſee, and died about the year 861. And that we may the more eaſily believe, that the uſe of charters was known among us in the time of that Fothad, the diſtich I have mentioned, is a proof: for it is not improbable, that he, who chooſed to teſtify to poſterity, that this ſmall preſent was made by him, by the inſcribing his name on it, would chooſe to ſecure by the help of letters and inſtruments, and hand down to poſterity a thing of much greater moment. The ſum of what we have ſaid above, recurs to this, that it does not ſeem at all diſagreeable to reaſon, to believe, that in the time of Duffus and Gregorius, perhaps of Kenneth II. that is, in the year 861, 876, and 878, the cuſtom was not unuſual of confirming agreements by the help of charters.

XX.

XX.

The laſt argument we ſhall bring to ſupport the antiquity of charters among us, and carrying back their origin a little beyond the ninth century, is the evidence which may be taken from that ancient league of amity entered into betwixt Charles the great and our Achaius, in the year 791, or as others ſay 792. We have it confirmed to be true and genuine, from the undoubted teſtimony of writers of the ſame age, or not much later; Fordun relates expreſsly, that it was reduced into the form of an inſtrument, as has been noticed above, and what makes the thing, moreover, very like to truth, is what is told by Eginhard, a writer of that age, that there was a frequent correſpondence of letters, betwixt Charles the great and the kings of Scotland. For ſince the cuſtom of compoſing charters was introduced among the Franks long before Charles the great, it could ſcarcely happen, but that the Scots, from this mutual correſpondence of letters, and from the cloſeſt bond of a perpetual league, ſhould have learned ſo uſeful and moſt neceſſary an inſtitution, in all buſineſs of the greateſt weight, all of a ſudden from the French. But, that we may be the more inclined to believe this, is, that the neighbouring Anglo Saxons, betwixt whom and the Scots, there happened frequent viciſſitudes of peace and war in theſe times, did adopt this cuſtom farther back, if we are to believe their writers in the ſeventh century.

XXI.

I muſt now proceed to the ſecond part of my propoſal, To explain in a few words the notable uſe

uſe to be made of charters, and chiefly, from the ſpecimens of thoſe exhibited in Mr Anderſon's book. By the word DIPLOMATA, I here underſtand, not only thoſe properly ſo called, iſſued by kings, popes, and other illuſtrious men, which we call otherwiſe letters patent, charters, or bulls; but in a more extenſive ſignification, writings and inſtruments of whatever kind, by which conveyances of property and dominion, pactions, contracts; and in fine, by which the whole tranſactions of buſineſs among mankind are confirmed and eſtabliſhed. The utility of theſe is twofold; the one *primary*, which may be called civil; the other *ſecondary*, which may be denominated hiſtorical.

XXII.

The *primary* (which we have called civil, for this reaſon, becauſe it relates to the duties of one citizen to another.) I ſay the uſe or rather the neceſſity of theſe kind of writings is ſo much defuſed every where, that ſociety and connections among mankind ſeem to be ſupported and preſerved in ſome ſort by them. When indeed (as Saluſt ſays) "Right and juſtice obtained more by nature than by eſtabliſhed law," among the rude mortals of ancient times, and the ſimple love of, and regard to right and juſtice were ſufficient to keep them in their duty; there was nothing elſe almoſt requiſite for eſtabliſhing pactions and covenants betwixt them, but words alone, or witneſſes, or ſome other tokens. But after ambition, the deſire of riches, and other wicked contrivances prevailed in the world, and mankind not content with their own, began to ſeize upon what belonged to others; the

good

good who ſtudied peace, juſtice, and regularity, when they found they were not able, by any other method, to repreſs the audacity and injuries of wicked men, were obliged to have recourſe to armed force. Hence, they found it neceſſary to enter into public deliberations, to enact laws, and to eſtabliſh tribunals. And ſuch laws, and penalties propoſed to be inflicted upon the violators of them, were no otherwiſe promulgated at firſt, than in an aſſembly of the people, by the ſupreme magiſtrate, or by a herald appointed for the purpoſe, *viva voce*, without the ſolemnity of writing. However, in proceſs of time, when things were more ſettled and certain, it became uſual among almoſt all nations, whoſe manners were poliſhed by literature, to lay before their citizens or ſubjects, their laws engraven on tables of ſtone or braſs, or by ſome other method of writing, to be read and underſtood by them. From the ſame reaſon it is probable, that not long after, the cuſtom prevailed, that all acts and buſineſſes of greater moment, as well public as private, were committed to writing, in order that the certainty of affairs might be the more firmly eſtabliſhed. It is unneceſſary to mention how many advantages flowed from this moſt wiſe inſtitution; ſince there is no people, however barbarous, to be found, who, if acquainted with letters, may not reap ſome benefit from it. Among the more polite nations, the uſe of them is ſo ſpread far and wide, that not only the fortunes of private perſons, but alſo the peace and ſecurity of kingdoms and public affairs, do altogether, if not ſolely, depend upon the uſe of them.

XXIII.

XXIII.

Hitherto we have diſcourſed concerning the *primary* or civil uſe of writings; we muſt next ſay ſomething concerning their *ſecondary* uſe, which we chooſed to call hiſtorical, the ſubject whereof is hiſtorical narrations; and this, altho' inferior to the former, yet we may diſcover its very great utility. The moſt learned, and the wiſeſt men of all ages, have adorned hiſtory with ſo much commendation, and have ſet forth the advantages to be reaped from the reading of it with ſo much oratory, that for me to take upon me its farther praiſe, would be to do a thing to no purpoſe. That moſt uſeful and moſt pleaſant of all things, hiſtory, which the prince of orators calls the witneſs of time, the light of truth, the director of human life, and the meſſenger of antiquity, borrows its principal credit and authority from diplomas, *i. e.* from the public and private deeds of kings and of people. The moſt learned men of this and the two preceding centuries, as ſoon as they perceived the accounts given of affairs carried on by their forefathers, either polluted by the vanity of fables, or truſted to uncertain rumours by the writers of them, or delivered down involved in the prejudice of parties; to put a ſtop to the evil, and bring things to the ſcale of truth, they thought the only remedy was, to have recourſe to the acts of princes, and other writings, kept in public and private repoſitories, as the moſt faithful and moſt certain evidence of every hiſtory. For, as Mr Anderſon obſerves, "Of all "proofs whatever, for ſupport of the truth of "hiſtory, ancient writings are the moſt appoſite; "theſe ſpeak for themſelves, and have no need for

" any rhetorical arts, or falſe colouring of words " to perſuade, which hath made ancient charters " and records ſo much the ſtudy of this inquiſitive " age; for hiſtories being over-grown with le- " gends of miracles and viſions on the one hand, " and larded with many romantic fables and tra- " ditions on the other; there was no ſafe way left " to correct what is amiſs, to clear what is ob- " ſcure, and to add what is wanting, but a dili- " gent ſearch into records and ancient monu- " ments: and all perſons of true worth and gene- " roſity, frankly communicate and lay open theſe " noble ſtorehouſes, which are ſo very uſeful for " the diſcovery of truth." Theſe are the words of Mr Anderſon; and all the hiſtories of almoſt every nation confirm that the thing is ſo. I ſupercede mentioning how much foreigners have exerted themſelves in correcting the errors of their annals, by the help of theſe ancient monuments. As to our own writers, I thought it would not be from the purpoſe, to expoſe a few miſtakes, by way of example, formerly received in the Scottiſh hiſtory, which our learned men have detected, by the help of theſe public and other acts.

XXIV.

That no leſs memorable, than melancholy controverſy, that aroſe concerning the kingdom of Scotland, after the death of Alexander III. or rather, of his grand-daughter Margaret, daughter of the king of Norway, about the year 1291, affords us the firſt inſtance of one of theſe miſtakes. Who were the competitors, or by what title each ſupported his claim to the kingdom, does not belong to this place to be diſcuſſed; as it is an affair well known.

But

But, when Edward I. of England was choſen by the Scottiſh nobility, as arbiter for deciding the competition; to paſs over the multiplicity of errors of our writers, eſpecially of George Buchanan, in this matter; there is, however, one in itſelf more remarkable than the reſt, and appoſite to our purpoſe; *viz.* That all our annals aſſert, that Edward, of the two principal competitors, Bruce and Baliol, firſt preferred Bruce, and promiſed him the kingdom of Scotland, under condition, that he ſhould acknowledge the ſuperiority of the kings of England, and ſubject himſelf to their ſovereignty. But, when Bruce deſpiſed ſo baſe a condition, and ſhould have anſwered, That he was not ſo deſirous of a kingdom, as to diminiſh the freedom tranſmitted to him by his anceſtors, for ſuch a cauſe; and that Edward ſhould have diſmiſſed him, and have ſent for Baliol; but, that he, more deſirous of a kingdom, than of a good name, had keenly ſnatched at the condition offered; and by that means was advanced to the throne. But that the thing was quite otherwiſe, and that all this narrative is falſe and made up, the public acts of England, preſerved in the tower of London, contained in that noble treaſure of monuments relating to that kingdom, publiſhed by Thomas Rymer, under royal authority, ſome years ago, do ſhow. For, from theſe, it does appear, that all the competitors, and ſo Robert Bruce himſelf, the grandfather of him who afterwards was king, did often acknowledge Edward of England to be ſuperior lord of Scotland. There are two diplomas, wrote in the French language, to the firſt whereof, this title is prefixed: "Submiſſion by the competitors for the "crown of Scotland, of their rights to Edward I.

" as ſuperior lord of the kingdom of Scotland. " Given at Norham, Tueſday, next before the a- " ſcenſion of our Lord." *i. e.* 5th June, *anno* 1291. To the laſt of theſe, is prefixed the following title, " The conceſſion of the competitors for the king- " dom of Scotland, to Edward I. of the entire " poſſeſſion, till the queſtion of right be deter- " mined. Given at Norham, (the day after) *viz.* " Wedneſday, next after (the ſame) feaſt of " aſcenſion." In both of theſe, Robert Bruce is expreſsly named. A confirmation of this, is add- ed to one of theſe by Rymer, thus: " Under the " ſeals of each of the competitors, appended with " ſilk ſtrings, red and green, all ſtained with a " green colour. *N. B.* That the firſt ſeal from the " left is awanting." To the other he adds, " Under the ſeals of the competitors appended " to the parchment, all of green. *Notandum*, the " firſt ſeal from the left is wanting." But Ed- ward, not content with this acknowledgment of his ſuperiority of dominion over Scotland, not long after, required from each of the competi- tors an oath of allegiance to himſelf; to which, by force and fear, he obliged not only the no- bles, but moſt part of the better ſort through the whole kingdom. What is remarkable in this af- fair, is, that Robert Bruce being firſt called upon by the biſhop of Bath and Wales, in the name of Edward, firſt acknowledged the kingdom of Scotland to be a feef of England; which was done by Baliol among the laſt: for he, as it would ſeem, affected a delay, and was abſent that ſe- cond day of June.

XXV.

XXV.

A tranſaction no leſs remakable, affords a ſecond example ; in which, by the intolerable inadvertency of our hiſtorians, to ſay no worſe, that moſt baſe ſtain is fixed upon the birth of Robert III. and, which was likely a diſgrace upon all his poſterity ; and by that means, upon other moſt illuſtrious, both royal and other families over Europe: *viz.* All our writers with one accord, relate, or rather contrive a fable, that Robert II. firſt king of the Stewart line, after he had begot this Robert III. (which name he aſſumed, being firſt named John, which he laid aſide and took that of Robert,) I ſay, after he had begot him and his two brothers, Robert and Alexander, by his concubine Elizabeth More, took for lawful wife Euphan the daughter of the Earl of Roſs, and begot by her two ſons, David and Walter, with ſome daughters; but in the third year of his reign, when queen Euphan, and at the ſame time, (as Buchanan adds) a nobleman of the name of Giffard, in Lothian, to whom Elizabeth had been married, being both dead, the king joined his concubine in lawful wedlock, and preferred the ſons begotten by her before marriage, to the children by Elizabeth More, in the ſucceſſion of the kingdom ; having legitimated them ; but contrary to every law, divine and humane. But our learned men have long ago evinced, that this whole narrative is a fiction, or rather a heap of ill digeſted lies ; and that from public charters and acts of the kingdom. For, from theſe, it has been ſhewn, clearer than ſun-ſhine, 1*mo*, That Elizabeth More, was firſt, not ſecond wife of Robert II. 2*do*, That ſhe died, not only before the beginning of his

reign

reign, but before his marriage with Euphan. *3tio*, That John Stewart the ſon of Elizabeth, afterwards called Robert III. during the reign of his uncle David Bruce, and long before his father Robert II. got poſſeſſion of the crown, was always held and acknowledged lawful ſon and heir of Robert II; for it plainly appears from a charter of queen Euphan's, (number 58 in Anderſon's Diplomata) that ſhe was ſtill in life, *anno* 1375, *i.e.* the fourth year of the reign of Robert II. Bowmaker, the continuator of Fordun, (the firſt inventor of this fable) and almoſt all the reſt of our authors before Buchanan, contradicting themſelves, relate that queen Euphan died not till the year 1385; on the contrary, it is as clear as poſſible, from an authentic charter, publiſhed ſome time ago at Paris, that Elizabeth More the mother of Robert III. died before 1365, that is, at leaſt ſix years before Robert II. his father, began to reign, and twenty-two years before queen Euphan died. I know well, that William Atwood, with his uſual effrontery, pronounces this charter of Robert II. to be ſuppoſitious; but a more convenient opportunity will afterward preſent itſelf, to refute the chicaning argument of this man. But though authority was wanting to this charter, there are ſo many, and ſo various other documents of undoubted veracity confirming this thing; that whoever ſhall derogate hereafter from the truth of it, muſt have more braſs than Atwood himſelf.

XXVI.

Leſt I may ſeem to dwell too long upon ſo clear a ſubject, I proceed to the third example I propoſed, *viz.* To ſhow the uſe of theſe diplomas, and other kind of ancient writs, for correcting

recting our hiſtory; this ſhall be furniſhed from the hiſtory of James III. Moſt of our hiſtorians, among the firſt Buchanan relates, that this king, corrupted by the bad company of men of the loweſt rank whom he had about him, while he followed their pernicious councils, did cheriſh ill-founded and unjuſt ſuſpicions concerning his brother Alexander duke of Albany, and other Scots nobles; and from being a prince of a ſoft temper, at firſt; degenerated into a cruel tyrant, and thereby having ſtirred up the hatred of his ſubjects againſt him, was involved once and again in a civil war, and did at laſt fall in battle by a moſt deſerved death. But by providence, it has come to paſs, that the whole ſeries of this mournful tragedy, delivered from the darkneſs, in which our hiſtorians have involved it, is brought to light, by the aſſiſtance of theſe monuments; for, from that never enough to be commended rich treaſure of public Engliſh acts, it clearly appears, that the origin of all theſe evils is to be attributed, not to the wicked diſpoſition of our king, but to the ambition of the duke of Albany, and a few of the nobility; who, ambitious of ruling, conſpired againſt the life of the king. For theſe groundleſs ſuſpicions of the duke of Albany's aſpiring at the crown, as Buchanan calls them, this treaty betwixt him and Edward IV. of England, ſhows were well founded. This treaty was entered into 10th and 11th of June, 1472, in which the duke of Albany ſtiles himſelf "Alexander king of 'Scotland, by the gift of the king of England: 'And ſolemnly promiſes, 1*mo*, That he would 'furniſh as great ſupplies as he could, againſt 'whatever prince, and all mortals. 2*do*, That 'he would, within ſix months after he ſhould

get

" get poſſeſſion of the crown of Scotland, ac-
" knowledge himſelf as a vaſſal of the Engliſh
" king. 3*tio*, That he would ſubject in all
" times thereafter, the town and caſtles of Ber-
" wick, Lochmaban, the countries of Liddiſ-
" dale, Eſedale, and Annandale to the Engliſh
" dominion. 4*to*, That he would renounce
" the league with France. 5*to*, And, if poſ-
" ſible, ſhould divorce his own wife, and mar-
" ry Cæcilia, Edward's daughter." On the o-
ther hand, the Engliſh king agreed, " That he
" would do his utmoſt endeavour, to dethrone
" his brother James, that Alexander might get
" poſſeſſion of the kingdom of Scotland, and be
" aſſiſted with all his might in keeping poſſeſſion
" thereof, againſt James, who then had the
" government." It is to be obſerved, in the
firſt place, that this convention was made ſome
months before the duke of Glouceſter, brother to
the king of England invaded Scotland, together
with Alexander duke of Albany. From hence,
this is alſo manifeſt, that the mutiny which was
ſtirred up by Archibald Earl of Angus, and other
factious men, at that time in the Scots army at
Lauder, was not raiſed on a ſudden, but was in
agitation and determined long before. This,
Buchanan himſelf confeſſes, who ſays, " That
" the duke of Albany promiſed to the Engliſh
" king, that how ſoon he ſhould approach
" Scotland, a great aſſiſtance would aſſemble,
" and that the nobility would differ with the
" king;" which in a great meaſure, was effec-
ted by the perfidy and craft of the earl of Angus.
Buchanan alſo tells, That the king, after this mu-
tiny left the army, and " hid himſelf in the caſtle
" of Edinburgh." But others ſay, he was made
" priſoner,

priſoner, and ſhut up in that caſtle: which two charters of this king do confirm; the one, by which he gifts to Alexander duke of Albany, the earldoms of Mar and Garrioch, with the addition of this memorable cauſe of granting, "For liberating our perſon from confinement from "the caſtle of Edinburgh, expoſing his dignity "and noble perſon to the moſt grievous dangers "of his life, from which inſult, our perſon now "enjoys acceptable freedom"; the other, by which, various privileges are granted to the council and citizens of Edinburgh, chiefly, juriſdiction to the provoſt of being ſheriff within the limits of the city, becauſe they valiantly contributed aſſiſtance to his brother the duke of Albany, in liberating him from the caſtle of Edinburgh, 16th November 1482. But Buchanan adds, "Although Alexander ſtudied to ſoften the remaining grudge of his brother towards him, and to "enter newly into favour by this good office; yet "the remembrance of old injuries prevailed more "with a weak mind, than that of the recent good "office done him," He further ſays, "That "the calumnies of the enemies of Alexander, "who daily accuſed him of too much popularity, "and aſſerted it as a certain proof of an attempt "at the ſovereignty; that he was made acquainted by his friends, that deſigns were in agitation at court againſt his life, and that thereupon he retired to England." Thus far Buchanan; but we have ſhown above, that theſe ſuſpicions were not groundleſs, but ſupported upon the moſt certain credit: and as to the calumnies of his enemies, that they were juſt and clear, is plain from this, that in the next month after the king was brought out of priſon, *viz.* the 12th January

nuary 1483, Archibald earl of Angus, Andrew Lord Gray, and James Liddal of Halkeſton, renewed the league, under the ſame conditions that it was entered into, with the king of England, ſix months before, with this added to the reſt: "That he would never lay down his arms by the "advice of James his brother, nor of any one of "his blood." Moreover, his foreſaid ambaſſadors, "In his name, bound themſelves by the ſacred "ties of faith, honour, and war, that if the duke "of Albany ſhould deceaſe, without poſterity to "ſucceed him in the kingdom of Scotland, that "he and his friends and clients, would ſubmit "themſelves to the dominion of none, except the "king of England." There remained, however, the finiſhing ſtroke to be put to ſo many wickednеſſes, by the rebellious ſubjects conſpiring againſt their king; for ſome years after, they armed the ſon, a boy of ſixteen years of age, againſt the father, and forced the latter to riſk an unequal engagement and ſlew the king flying from battle; in the next parliament called, every one who was killed, was adjudged to have been ſlain by their own fault, by an act of parliament, alledging this crime chiefly againſt them, "That they ſent for "the Engliſh to come into Scotland, and thereby "endeavoured to ſubject the kingdom to the do-"minion of England." But theſe public Engliſh acts, which we have mentioned, refute this moſt abſurd lie, contrary to all truth; from which it does appear, that the kings of Scotland and England deſired nothing elſe, than that they and their ſubjects might be connected in a more ſtrict bond of peace and friendſhip, by the three marriages propoſed; on the other hand, the horrid impudence of theſe rebel ſubjects, appears from

the

the ſame public acts. The crime was objected to James, by theſe very men who had lent hand to the Engliſh, when they invaded Scotland with a hoſtile army, by raiſing a mutiny in the king's army; by theſe very men, who repeatedly had ſurrendered themſelves to the Engliſh, who had confirmed by an oath, that they would ſubject, as far as in them lay, the kingdom to the king of England, and that they never would obey or ſubmit to James IV. or to any ſprung from his family.

XXVII.

Theſe few inſtances, by way of ſpecimen, were thought proper to be adduced, that the utility of charters and all kind of inſtruments in correcting hiſtory might be expoſed to view. But, beſides what has been ſaid, which reſpect as it were the nature and ſubſtance of hiſtory itſelf, there are innumerable other things which belong to the outward appearance thereof, that is, incidents and circumſtances; under which may be reckoned, every thing which relates to chronology, geography, genealogy, and heraldry. With how many miſtakes and blunders the neglect and ignorance of theſe fully the annals of every nation, but more eſpecially our own, thoſe too well know who have applied themſelves to the ſtudy of them. But the moſt certain, and the only way for diſcovering and correcting them, is by ſearching into ancient records. But to omit others, how many errors of chronology (properly the right eye, as geography is called the left eye of hiſtory) are diſcovered, which had been admitted by our ancient hiſtorians, but are now detected by more modern authors, by the aſſiſtance of theſe ſame

monuments? I may here alſo mention of what moment the ſearch into the repoſitories of theſe are to men employed in public life, for attaining a knowledge of politics, and for diſcovering to the bottom the very ſecrets of princes and courts; and what aſſiſtance may not be got from them for underſtanding the ancient laws and cuſtoms of different nations, and for explaining religious and civil ceremonies. But as theſe and ſuch like advantages are fully perceived by learned men, and deſerve a fuller diſcuſſion than our purpoſe will admit of, it is ſufficient for me to have touched ſummarily on theſe for the preſent.

XXVIII.

As nothing is inacceſſible to wickedneſs, nor ſafe and ſecure on every ſide from the baſe contrivances of men; this moſt uſeful and neceſſary invention of charters began to be corrupted and to be abuſed, as a ſcreen for falſehood and injuſtice of every kind. For, when it was found by experience, that dealings and buſineſs among men, could not be ſecured by any thing ſo much as by letters committed to written charters, covetous and flagitious men, that they might ſpread a vail over their frauds, and ſecure means unjuſtly acquired, applied their invention to forge charters and writings of all kinds, and to palm them on the world for true ones. Nor did the knavery of ſome men ſtop here, but attacking things ſacred and profane, forged hiſtories and all other kind of books, and preſumed to publiſh them under the feigned names of ancient authors. And here indeed, we ought to regret and wonder, that not only men profeſſedly bad, men altogether negligent of what is juſt or unjuſt, but even the followers

followers of a monaſtic life, *i. e.* men dedicated to God and the meditation of heavenly things, ſhould, more than any other men, have given themſelves up to fabricate falſehoods of this kind. But, as by this means, the miſchief increaſed, and does yet continue, ſo that nothing almoſt has eſcaped the poluted hands of ſuch forgers and impoſters; the ingenuity and aſſiduity of learned men cannot be enough commended, who in this, and the two foregoing centuries, have applied themſelves, vieing with each other, and, as if by common conſent, to ſtamp the ſterling value upon what was true and genuine by pulling off the maſk from every kind of forged writings. This is neither the proper place, nor am I qualified to name how many books of that kind publiſhed under a ſpecious title, their induſtry have detected and ſtripped of their falſe colours. As to diplomas and ancient charters, the matter is brought to this, by their accurate and ſurpriſing learning and ſagacity, that the rules for diſtinguiſhing true from forged ones, ſeems to be reduced to the form and nature of an art. In this, as in other arts, ſome rules are laid down, by the aſſiſtance of which, all inſtruments may be brought under examination, genuine may be diſtinguiſhed from thoſe that are ſpurious, and thoſe that are undoubted, from the ſuſpicious ones. Of theſe rules ſome are rather general; ſuch as the form or ſhape of the letters agreeing or diſagreeing with the age of ſuch charters; a right or wrong marking of the date; the cuſtoms, words, and forms of expreſſion received in that age, or which are unuſual, *&c.* Others are more particular, and to be fought from various circumſtances and incidents, compared accurately among themſelves

themſelves, as the nature of each charter may require to be examined. but all theſe have their principal foundation in theſe writings, which are acknowledged to be true and genuine: for, as we commonly ſay, that what is right is the touch-ſtone of truth and falſehood; ſo the authenticity of ancient writings cannot be more certainly and accurately ſearched into by any method, than by making a compariſon with thoſe which are clearly genuine. As Horace long ago taught us in morals:

Non qui Sidonio contendere callidus oſtro,
Neſcit aquinatem potantia vellera fucum,
Certius accepiet damnum propriusve medullis;
Quam qui non poterit vero diſtinguere falſum.

has place here. For unleſs the genuineneſs of ſome charters can be certainly known, it is impoſſible to decide rightly and truly concerning others which are dubious or ſuſpicious.

XXIX.

The learned Anderſon, well knowing this, had principally in view in publiſhing this work, that he might be able to judge from ſpecimens of undoubted charters, for ſome centuries, concerning the authenticity of others, which have the appearance of the writings of theſe centuries.

His treatiſe concerning the independency of the crown of Scotland, wrote againſt William Atwood ſhows, that the learned author made this uſe of the compariſon of charters. In which treatiſe, he proves, that all the charters adduced by Atwood are ſpurious and forged, chiefly from this, that they diſagree ſo much from true and genuine charters of theſe kings, whoſe they are

are pretended to be. That this may be underſtood more clearly, we have though it not foreign to our purpoſe, to lay before the public a few examples.

XXX.

Let that charter of Malcolm III. be the firſt; by which he declares himſelf a vaſſal of Edward king of England, called the confeſſor; which Thomas Rymer the Engliſh hiſtoriographer, cauſed to be engraved from the public records kept at Weſtminſter, and publiſhed as follows:

Malcolm, by the grace of God, king of Scots and of the adjacent iſlands, To all Chriſtians to whom theſe preſent letters may come, greeting. To Danes, and Engliſh, and Scots: Know, that we and Edward our eldeſt ſon, do hold our whole kingdom of Scotland and the adjacent iſlands, of our moſt excellent lord, lord Edward, ſon of Ethelred, lately king of England, ſuperior lord of the kingdom of Scotland and of the adjacent iſlands, by liege homage and fealty, as our anceſtors and progenitors of before have moſt notably recognoſced and done; as is ſufficiently known to us, by the more ancient records of the crown. Wherefore, moſt ſerene lord, Edward, ſon of Ethelred, ſuperior lord of Scotland and of the adjacent iſlands, we have become your immediate vaſſals during our lives, to live and die with you againſt all mankind, as your liege ſubjects; and we will bear liege fealty to you and your heirs. So help us God, and the holy judgement of God. In teſtimoney of which thing, we have cauſed affix our ſeal, for us and our ſon foreſaid, at York, 5th June, of our reign the 9th year, in the Parliament of our foreſaid

ſaid ſovereign lord, held there, by conſent and advice of Margaret our conſort, daughter of Edward, ſon of Edmund Ironſide, of Edgar Atheling, brother of our ſaid conſort, and of many other nobles of our ſaid kingdom.

The forgery of this charter, (which its editor, though he firſt ſeems to have eſteemed genuine, afterward owns) and George Ridpath, in his preface to his Engliſh tranſlation of Sir Thomas Craig's treatiſe concerning homage, evinces, by this argument chiefly, among many others, that Malcolm III. his wife Margaret, and his brother Edgar Atheling are ſaid to conſent to it, when it is put beyond all doubt, that queen Margaret with her brother Edgar, did not come into Scotland till after the Norman conqueſt, that is, many years after the death of Edward the confeſſor. Although, by this alone the authority of this charter is ſufficiently overturned, yet Mr Anderſon, that he might, if poſſible, ſtop the mouth of this impudent impoſition, demonſtrates the ſame thing by many proofs, brought from a compariſon of the charter with others of the ſame age, 1ſt, That the ſhape of the letters in it are ſome hundred years later than the age of Malcolm. 2dly, That in the ancient charters of our Scottiſh kings that are genuine, the word *Scottorum* is wrote with a double (*tt*) not with a ſingle (*t*) being always wrote *Scotorum* in this charter. 3dly, That Malcolm, ſpeaking of himſelf, uſes the plural number, which cuſtom was not as yet introduced among the kings of Scotland nor England; for among the Engliſh Richard I. among the Scots Alexander II. are the firſt who are found to ſpeak of themſelves in the plural number, whom Malcolm III. preceded more than 100 years. 4thly,

4thly, And laſtly, To this charter is appended a ſeal, bearing the arms of Scotland, *i. e. or*, a lyon rampant with a double treſſure, flowered and counter flowered with flower-de-lis; from which the proof of forgery is manifeſt. 1. For beſides, as it may be doubted, if the appending of ſeals was in uſe at that time, either among us or among our neighbours in England, it moſt evidently appears, from the ſeals of other of our kings who followed after Malcolm III. that on none of them before Alexander II. whom we mentioned, or ſurely before William his father, was the national coat-armorial of Scotland, as juſt now deſcribed, engraven: moreover, if we are to believe the moſt ſkilful writers on heraldry, the cuſtom of bearing national coats of arms was ſcarcely brought into Europe, at leaſt not among the Scots, till the ninth year of Malcolm III. *i. e.* the 1065 or 1066 of the Chriſtian æra. From whence, by the by, it evidently appears, the error of our hiſtorians Boece, Leſly, and Buchanan, who affirm, that one Hay, a low man, on account of the celebrated victory obtained over the Danes at the village of Luncarty, principally, by the bravery of him and his ſons, was not only raiſed to great honours, and got many lands, but alſo was preſented by Kenneth III. with family arms, as is the cuſtom of noblemen, a ſhield (argent,) with three ſhields (or); which arms, ſays Buchanan, in my opinion, denotes, that the public ſafety was protected by the ſingular bravery of three men in battle. But, that our writers have been grievouſly miſtaken in this affair, appears plain from thence, that the cuſtom of bearing coats armorial did no where

take place till the eleventh century, *i. e.* many years after the death of Kenneth III.

XXXI.

The ſecond charter, by which Atwood endeavours to ſubject the Scottiſh kingdom to that of England, is a charter "To God and ſaint Cuth-"bert the confeſſor, to William biſhop, Druget "prior, and the monks ſerving God at Durham;" granted by Edgar king of Scots; in which he twice calls "William II. king of England the ſu-"perior lord of Scotland:" But Mr Anderſon ſhows that this charter, by compariſon with five other genuine charters of that king, preſerved in the treaſury or charter regiſter of Durham, two of which he took care to inſert in his Diplomata Scotiæ, is altogether falſe and forged; chiefly, for the three following reaſons, 1ſt, That the ſhape of the characters of this one is different from them. 2ly, That Edgar ſpeaks of himſelf in the plural number, which is not ſo in the others. 3dly, That the ſame ſpurious coat of arms appended to Malcolm III's charter, which was unknown for a long time after, is ſtamped on the ſeal appended to this charter. There are likewiſe other arguments, by which this charter of Edger is condemned as a manifeſt forgery; ſuch as this, that during all Edgar's reign there was no biſhop of Durham of the name of William; I paſs over the other arguments, becauſe not deduced from other charters, but from ancient hiſtories. But what does Atwood anſwer to all theſe? juſt what befits a man who has not the leaſt ſpark of modeſty remaining, overcome by the ſtrength of truth: Does he yield? not at all; on the contrary, with what obſtinate forwardneſs does he oppoſe all theſe arguments

guments which are repugnant to his purpoſes, and endeavours to rally his diſordered forces, and to defend, with all his might, the authenticity of both theſe charters of Malcolm III. and of Edgar. But I here forbear to repeat his mean quirks and tricks, as not deſerving any anſwer, and which would only create diſguſt to my readers, and proceed to others.

XXXII.

In the third place, theſe charters of our kings are to be mentioned, *viz.* of Robert I. David II. and Robert III. firſt fabricated by that famous forger John Harding, poetaſter and Engliſh hiſtorian, and greedily taken hold of as genuine by Atwood, a man of the like impudence, to eſtabliſh the Scottiſh homage. Tyrell takes notice, that theſe charters with ſeals appended to them, are preſerved in the chapter-houſe of Weſtminſter in a large cheſt, on which is inſcribed the name *Scotiæ*, and copies of them are publiſhed for true charters, in a manuſcript book in the advocates library at Edinburgh, the title of which is, Scottiſh Tracts, wrote by an Engliſhman about 150 years ago. Although this Hardwin had obtained from Henry VI. of England a penſion of L. 24 *per annum* by royal grant, on record, and from that weak prince's miniſter, who were either deceived or inclinable to be deceived, for his induſtry, as he gave out, in recovering out of the hands of the Scots, with the greateſt danger of his life theſe charters: yet, they bear ſo many evident marks of forgery, that the moſt clebrated Engliſh hiſtorians Rymer, Tyrell, and the revered William Nicolſon biſhop of Carliſle, as conſpicuous for the ſagacity of his manners as for his learning, do all

eſteem and acknowledge them to be ſpurious. To ſelect a few from the many marks will diſcover their fraud and impoſture. 1. In all of them our kings are not ſtiled *Scottorum*, which we conſtantly find in every genuine charter was done, but they are called *reges Scotiæ*. 2. Many words occur in them, unknown or not uſed by our kings, ſuch as *Reccorda, irrotulamenta, indictamenta, occaſionari*, &c. 3. The charter of David II. is ſaid to be granted *in full parliament, firſt day of November, the fifth year of his reign*, but at that time, *i. e.* 1333 or 1334, war raged betwixt the two nations; our David, that he might be out of danger, was ſent into France; and, as all hiſtories teſtify, did not return till 1342. 4. Such as are attributed to Robert I. or II. fall by their own abſurdity; which will be ſhown by us more plainly and particularly. Firſt, As to that one which bears the title of *Homagium regis Scotiæ*, and which is ſaid to have been wrote in the year 1319, by the very firſt words, diſcovers itſelf to have been written after the death of Robert I. or Robert Bruce: but allowing this inſcription to have been added afterwards, by a perſon ignorant of Scottiſh affairs, and therefore ought not to detract from the truth of the charter itſelf. Let us therefore examine the charter itſelf, it begins thus, "Robert, by the grace of God, king of "Scotland, to all to whom theſe preſent letters "may come, greeting. Know, by theſe preſents, that we have inſpected the inrolment "of the letters patent of our deareſt lord and "nephew, late king of Scotland, ſon of our moſt "dear lord and uncle Robert Bruis, formerly "king of Scotland, the tenor whereof follows:" David, by the grace of God, king of Scotland, what

what a wonderful ignorance of our affairs diſcovers itſelf at firſt ſight? namely, that Robert II. calls Robert Bruce formerly king of Scotland his uncle, but David lately king of Scotland, *i. e.* who immediately reigned before him, his nephew; when, on the contrary, it is manifeſt, by every hiſtory, as well as from all the public acts of the kingdom, that Robert Bruce was father of David and grandfather of Robert II. and that David was uncle to the latter, *viz.* Robert II. But it may be ſaid, that theſe are miſtakes proceeding from the inadvertency of the notar, who in the former place puts *nepotes* for *avunculi*, and in the latter *avi* for *avunculi*. But beſides, as this is ſcarcely credible, is it to be thought, that the three eſtates of the kingdom, by whoſe conſent this charter is ſaid to have been granted, or the king's clerk or ſecretary, would not have obſerved ſo groſs and ſo palpable errors, ſtaring every reader in the face? Moreover, the date proves that this charter is a forged one, for it is ſaid to be "given at Dundee, the laſt day of December, and firſt year of the king's reign." We have ſhown above, that it is not of Robert I. tho' it may be ſo inſcribed, nor of Robert III. becauſe the tenor of it will not allow of that, by which this laſt Robert profeſſes to have obtained the Scottiſh kingdom in name of a fee, from Edward of England; for in the time of Robert III. there was no ſuch man as Edward reigning in England. This charter therefore, if genuine, muſt neceſſarily be of our Robert II.; but in that very year the ancient league was renewed betwixt Robert and Charles V. the French king, the principal, if not all the conditions and articles of which, have this principally in view, that the

one

one king ſhould protect the other, when ever there was need, againſt the king of England the common enemy of both nations, with all their forces. But it is altogether contrary to all probability, that the king of Scots, ſhould ſurrender himſelf and his ſubjects to the perpetual vaſſalage, or rather ſervitude of their common enemy. If however, any doubt or ſuſpicion can remain on this point, the laſt article of the treaty written in French ought to remove it entirely, the words are: "Item, That if the holy father, of his will and proper motion, or by the perſuaſion of any "perſon whatever; would abſolve the ſaid king "of France, or us and our heirs and ſucceſſors, "the ſaid kingdoms, or looſe them from the "foreſaid oath, or annul the ſaid oath, the ſaid "king of France, his heirs and ſucceſſors, we "our heirs and ſucceſſors, will neither uſe, nor "ought to make uſe, by any means, of the be-"nefit of ſuch abſolution; but will keep and ob-"ſerve loyaly and entirely this alliance in all "points, without fraud or evil invention, and "without doing or ſaying any thing to the con-"trary, juſt as if ſuch abſolution or annulling of "the oath had never been made or granted:" which condition, was added when the league was renewed between James V. and Frances I. kings of Scotland and France, in the very ſame words in Latin. But, it appears moſt clearly from theſe words, with what anxious care and ſollicitude, the kings of both nations endeavoured to preſerve this friendſhip as firmly and inviolably as poſſible for all ages to come. It cannot, therefore, by any means, be believed, that Robert II. king of Scots, eſpecially, when both his own affairs and thoſe of the French king, were at the time in a flouriſhing

flouriſhing ſtate, and thoſe of the Engliſh king had begun to decay, ſhould incline to aboliſh a treaty which had taken near eight months to negotiate and perfect, and that in almoſt as few weeks as it had taken months to finiſh.

XXXIII.

But to return to that charter of David II. which is pretended to be confirmed by this of Robert II.: among other egregious marks of forgery, I have noticed, as not the leaſt, *viz.* that it is ſaid to be granted at Edinburgh, and in the fifth year of his reign, whereas nothing can be more certain, than at that time, *i. e.* in the year 1333 or 1334, our David II. had retired to Philip VI. king of France, and did not return to his own country till 1342. But what amendment does Atwood offer here? forſooth with much impudence, he ſays, that this fifth year of the reign of David, is to be computed not from the death of his father, but the time of his inauguration; but I ſhould wiſh, that Atwood or any other hiſtorian of Britain would point out to us, in what year this inveſtiture or poſſeſſion of the kingdom was given by the Engliſh king to our David; otherwiſe no fixed point of time can be drawn from this charter of David's: for if this fifth year of David is to be counted from his *inveſtiture*; it can by no means be known, in what year of Chriſt, from 1333 or 1334, (which truely was the fifth year of David's reign) to 1371, in which year he died, this charter was framed. But what ſort of chronology is this, in which a period of 36 or 37 years, by this way of reckoning, is to be held for nothing. But the words of the charter overturns

turns this very ridiculous ſubterfuge of Atwood's, in which there is no mention of *inveſtiture*; ſo that David profeſſes to hold the kingdom of Scotland of Edward of England, in name of vaſſalage; not that he received it from Edward of England under that condition, but "for this "conſideration, ſays he, that our predeceſſors "and progenitors formerly kings of Scotland, "held from the more ancient times, and ought "to have holden the kingdom of Scotland by "liege homage and fealty, and have perform-"ed for the ſame kingdom, purely and voluntа-"rily liege homages and fealties often perſonally; "as is ſufficiently known to us by more ancient "records and pleas of the crown, as well in "parliament, as in the circuits of our chamber-"lains and juſticiars, and thoſe of our predeceſ-"ſors and progenitors." From which words, it appears, that he acknowledged Edward ſuperior lord of Scotland, not from any anterior deed of his own, but from the charters of his progenitors, which we have ſhown were all forged, except one of king William's. If the poſſeſſion of the Scottiſh kingdom had been granted by the Engliſh king to David, to be held in name of vaſſalage, is it to be believed, that the acknowledgement of this vaſſalage would have been put off for ſo many years? Is it not rather to be thought, that Edward, before he delivered the kingdom of Scotland to David, would obtain from him the charter whereby he would acknowledge himſelf a vaſſal of Edward's for that grant? Surely the charter of Edward Baliol, by which he acknowledges, that he held the kingdom of Scotland of the ſame Edward of England, mentions the conditions entered into betwixt them; the principal

of

of which were, that becauſe he had got peaceable poſſeſſion of the kingdom of Scotland, " by the " ready and efficacious aſſiſtance of the king of " England," therefore, he promiſed, that he would thereafter be under his vaſſalage. This muſt alſo be noticed in theſe and in the other inſtruments of Edward Baliol, that the beginning of his reign is always counted not from the inveſtiture, but from the time of his coronation. But why need we caval with theſe arguments of leſs weight, againſt Atwood, when we have plainly demonſtrated by the authentic acts of theſe kings, beyond all doubt, that no ſuch charter could proceed from our king David. For, from theſe it is clear, that Edward of England did acknowledge Edward Baliol to be the only king of Scotland from 1332 to 1355, in which laſt year, Edward Baliol abdicated the throne. But during all this time, as often as there was occaſion for naming David Bruce, the Engliſh monarch never ſtiles him *king of Scots*, but plainly either *David de Brus*, or with a mark of ignominy *his enemy of Scotland*, and after David's captivity *his priſoner*. Therefore, it cannot be believed, that during this whole period of years, the Engliſh king would deliver poſſeſſion of the Scottiſh kingdom to David, nor that David would ſwear fealty to him; unleſs we at once believe, that the Engliſh king would have acknowledged two kings of Scotland at one and the ſame time, to be both feudatory to him, and that David, beſides, ſhould be ſo indolent and mean ſpirited, as to ſurrender himſelf and his ſubjects to the vaſſalage of him, who never honoured him with the title of king, and who had raiſed Baliol the rival of his kingdom, and his inveterate enemy, to that ſummit of honour,

and did perſiſt during all that time, to aſſiſt him to the utmoſt of his power. It was not therefore till the year 1355, that this poſſeſſion of the kingdom of Scotland was delivered to our David II. by the king of England; now, let us ſee if this could be done after that year; and here likewiſe the ſame obſtacles preſent themſelves, againſt ſuch delivery poſſibly taking place from 1355, in which year Baliol abdicated the kingdom, to the year 1371, when David Bruce died. The firſt is, that David being priſoner in England, remained there two years after the foreſaid time, that is, did not return till 1357; but amongſt the conditions of that liberation, the whole proceedings whereof we have at full length in Rymer's fœdera, there is not the ſmalleſt mention of that ſuperiority of the crown of England over Scotland, or the oath of fealty to be performed for that purpoſe by David Bruce. So far from this, that in this whole tranſaction the Engliſh king does not aſſume the name of ſuperior lord, or yet calls David his vaſſal, athough he very ſeldom ſtiles David king of Scotland. But it would have been a moſt extraordinary meanneſs of ſoul, and for ever diſgraceful, if he ſhould ſubject himſelf and his kingdom to the vaſſalage of one who rejected his friendſhip, and who never ſtiled him by any other title than his *priſoner* or his *adverſary*. But, that this was the caſe, the charter of Edward of England, among many other documents, does moſt clearly demonſtrate; which charter is written in the year 1372, in which, when our Robert II. challenged the diſcharges granted for the ſeveral payments at different times, for redemption of king David, as appearing not ſufficiently valid and ſecure, for this reaſon, that the title of *king of Scots* was not adjected to David's name: Edward,

ward, that he might take away all doubt about the matter, gave him the following anſwer, which, as it is in itſelf very ſingular, and corroborates very much every thing that we have above advanced, we have thought proper to ſubjoin it here.

" Edward, by the grace of God, king of Eng-
" land, *&c.* To all, *&c.* greeting, Know ye
" that when in each of our letters of diſcharge
" granted to our brother David Bruys, while in
" life, upon receipt of the ſums for his redemp-
" tion, without the addition of the title of king
" of Scotland; which letters, our ſaid brother
" eſteemed ſufficient for him and his ſubjects in
" this part, as it was reckoned ſufficient by us
" and our council: for which reaſon, it did not
" ſeem meet for us to alter the form of our let-
" ters. But ſince our couſin Robert of Scotland
" is afraid, that the ſaid letters of diſcharge are
" leſs valid, as the title of *king of Scotland* is
" not ſpecified in the ſame letters, for the great-
" er ſecurity of our ſaid couſin, we will and grant,
" and by the tenor hereof declare, that it was
" the intention of us and our council, and is ſtill
" ſo, that the ſaid letters of diſcharge formerly
" granted to our couſin, by the name of *Robert*
" *our couſin of Scotland*, only, on receipt of the
" foreſaid redemption money, ſhall be in all time
" coming, as valid as if our ſaid couſin had been
" ſtiled king of Scotland, and ſhall have the ſame
" effect, *&c.* witneſs, the king at Weſtminſter,
" 12th December.

Another argument, by which it may be evinced, that this inveſtiture of our king David II. pretended to have been given by Edward of England to him, is not prior to 1355, may be taken from another charter, which ſhall be by and by

 ſhown,

ſhown, to be alſo forged, but which is publiſhed by Hardwin and his partiſan Atwood, as genuine of the ſame David; by which David is ſaid to have ſwore an oath of fidelity, before Henry lord Piercy of Alnwicke and Ralph Nevil lord Rabye, ambaſſadors for the king of England, in the following form: "Moſt excellent lord Ed- "ward, king of England and France, I David "king of Scotland become by theſe preſents liege "vaſſal, to all purpoſes of life, members, and "earthly honour. I will bear true allegiance to "you, and to your heirs kings of England, as ſu- "perior lords of Scotland all my life, and live and "die with you, againſt all mortals. So help me "God, and God's holy judgment. And I acknow- "ledge by theſe preſents, and I grant and oblige, "that I, and my heirs and ſucceſſors, kings of "Scotland, to hold of you, and your heirs and "ſucceſſors for ever, by the foreſaid ſervices, "notwithſtanding whatever relaxations, diſ- "charges, remiſſions, or other letters whatever, "granted by the kings of England to the kings "of Scotland in the contrary." But this charter ſays, that it is given at the monaſtery of Coldingham; but the letters patent of Edward of England, naming theſe ambaſſadors to take this oath, he ſays are dated 20th March, the foreſaid 26th year of the reign of his ſuperior lord; which year correſponds to the year of the vulgar Chriſtian æra 1352; and therefore, if it was a true charter, it muſt have been almoſt four years prior to the charter of Edward Baliol, by which he transferred all his right to the Scottiſh kingdom to Edward of England, for it is dated at Roxburgh, 20th January, *anno* 1355, that is, according to the Roman computation 1356. To ſay the truth,

allowance

allowance was granted in that foreſaid year 1352, to David Bruce by Edward of England to return to Scotland, that he might confer with his nobles about his redemption; having in the mean time delivered hoſtages, that he ſhould again deliver himſelf into cuſtody, if the conditions propoſed were not agreed on. But it is plain from the public acts, nothing proceeded from this conference of David's with his nobles, inſomuch, that he returned to be again ſhut up in the tower of London, without doing any thing. Which, ſince it is ſo, it is quite unjuſt to believe, that David would be of ſuch a mean, or of no ſoul at all, that he ſhould inthral himſelf and his ſubjects to the vaſſalage of the king of England; more eſpecially, if we add what we have ſaid before, that David, neither then, nor almoſt ever after was ſtiled king of Scotland by the Engliſh king. Yea, during all the time that theſe things were tranſacting, Edward Baliol the enemy of David and the rival of his crown, not only was conſtantly ſtiled king of Scots by the Engliſh king, but alſo a promiſe was again and again made to him, that nothing which was tranſacted with David ſhould turn to his prejudice. Since therefore, it manifeſtly appears, that this inſtrument of our king David's is plainly forged and fictitious; it is agreeable to reaſon, that the reſt proceeding from that notable falſifier Hardwin, ſhould be eſteemed as duſt, that is, all of them forged.

If any have a mind ſo hardened againſt truth, that theſe reaſons are not ſufficient to make him alter his ſentiments; but, in order to extort a confeſſion from ſuch a one againſt his will: what we ſhall bring, in the third place, is the teſtimony of David himſelf, and of his ambaſſadors to the French

French court, viz. of Robert Erſkine and Norman Leſly, which is to be found in the treaty betwixt John king of France and Charles the Dauphin, his ſon on the one part, and David king of Scotland, on the other part, entered into at Paris the 29th June, 1359, in theſe words: "We Robert "and Norman, foreſaid, ſay, that our ſove-"reign lord, the king of Scotland, as well by "his letters, as by us, ſent by him for the pur-"poſe, with his letters of credence to Monſieur "the regent, above-mentioned, that it was cer-"tain, how the king and kingdom of Scotland "of a long time has been haraſſed, agrieved, "and damaged by the Engliſh, enemies of the "kings and kingdoms of France and Scotland; "and our ſovereign lord the king had been ta-"ken in battle, and detained a long time priſoner "in England; out of which priſon he could eaſi-"ly have liberated himſelf, and might have had "eaſy terms of peace, if he would have conſent-"ed to renounce the confederacies and alliances, "which ſubſiſt between the kings and kingdoms "of France and Scotland; to which thing, he "would by no means conſent, and has treated "only upon the deliverance of his own perſon "*&c.*" From theſe laſt words, it is clearer than the ſun-ſhine at noon-day, that our king David, during the whole time of his captivity, that is, from 1346 to 1357, did nothing againſt the faith of the ancient amity betwixt the French and Scots, but meant to tranſact with the Engliſh king only concerning the liberation of his own perſon; both of which would have been abſolutely falſe, if he had ſubmitted himſelf and his ſubjects to the ſlavery of the Engliſh: which if a tedious confinement

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in priſon could not extort ; much leſs certainly, is it to be thought, that he could be induced to do it when at freedom and liberty. We have purſued theſe things a little more prolixly, and more than perhaps was neceſſary, not only becauſe that they were ſlightly touched on by Anderſon, to whom they ſeemed of not ſo great conſequence ; but alſo, at the ſame time, to refute Atwood, and to ſhow the uſe of genuine charters in detecting the frauds of forged ones.

XXXIV.

But before I diſmiſs this matter, I cannot refrain myſelf from expoſing yet another inſtance of the ignorance or rather impudence of Atwood, on the other ſide of the queſtion. For, as he takes upon him to publiſh and defend forged charters for genuine ones ; ſo he is not afraid, by the ſame arguments, to impeach genuine charters of fraud and impoſture, providing it ſerves his purpoſes. The charter of Robert Stewart of Scotland, earl of Strathern, afterwards Robert II. king of Scots, furniſhes a very remarkable proof of this. This charter is dated at Perth 12th January, 1364, that is, according to the Roman computation, 1365, which Louis Innes, principal of the Scots college at Paris, publiſhed from an original in the records of that college, in the year 1695, in order to vindicate the legitimacy of the royal line of the Stewarts, from the ſtain fixed on them by our hiſtorians. But Innes did not chooſe to publiſh this remarkable document till he got the opinion of the moſt ſkilful antiquarians, concerning the certainty and authenticity of it. Of theſe I ſhall only mention a few, the chief of them were Euſebius Renaud

Renaud hiſtoriographer royal, Stephen Baluz, royal profeſſor of cannon-law and ſuperintendant of the Colbertine library, John Mabillon, Theodore Ruinarte, a benedictin monk, all of them very celebrated men, for their univerſal learning and writings, which will always remain in eſteem; "Who, to uſe their own words, aſſembling to- "gether 26th May 1694, having diligently in- "ſpected the before-mentioned charter exhibit- "ed to us by the ſame Louis Innes, we have "examined it, and diſcuſſed it with the great- "eſt care poſſible, we teſtify that it is ancient and "genuine, written certainly in a character of "letters of that time, and is liable to no ſuſpi- "cion of forgery, that it is ſealed with two ſeals, "which we atteſt to be ancient and entire *&c.*"

Atwood has been, however, ſo bold as not only to doubt, but even openly to deny the authenticity of this charter, ſupported by this famous and clear teſtimony; why, for no other reaſon, as I believe, than becauſe it appears to oppoſe his arguments; and he affirms, that it betrays evident marks of impoſture, being forged by the Jeſuits of the Scots college, or by ſome other monks of ſome other order at Paris. And what manifeſt marks of impoſture does Atwood adduce? theſe four or five, *1mo*, That Robert II. though then only Stewart of Scotland, according to the royal cuſtom, uſed the plural number, and ſays, "Our "ſeal is appended to theſe preſents." *2do*, That from an affectation of royal power, he ſubmits himſelf and his heirs in whatever dioces they live, to any biſhop whatever, who ſhall be choſen. *3tio*, That though the viſcount Tarbat may have ſhown of what family Elizabeth More was, who is ſtiled wife of Robert II. in that charter, yet he has not

diſcovered

discovered the consanguinity or affinity which was an obstacle to the contract of marriage betwixt them, in that charter. 4*to*, That no payment nor demand supported by colour of law, are alledged to be made, which might confirm the truth of the affair. 5*to*, That in that charter, John the son of Robert, is stiled lord of Kyle, who, nevertheless, fourteen years before, that is, in the year 1350, according to lord viscount Tarbat's calculation, is designed earl of Carrick, in the charter of king David; but it never was found, that an earl subscribing to a deed, should be content to design himself by the title only of a barony.

From these marks, (God willing) the most vain trifler dreams, he has found out the forgery of this charter; but, reader, I will make it appear, if you will bestow a little attention, that there is nothing, as you will see, to be discovered in these, but the disgraceful ignorance of the man, equalled only by his impudence. To understand this the better, I have thought proper to lay before you a copy of the charter itself.

To all who may see or hear this charter, Robert steward of Scotland, earl of Stratherne, greeting. Since long ago it was specially delegated to a venerable father, lord William, by the grace of God, bishop of Glasgow, by apostolical letters; and as he granted dispensation on the marriage, contracted betwixt us and unquile Elizabeth More, while in life, notwithstanding of the impediment of consanguinity and affinity standing in the way of the said marriage contract, providing we should found one or two chapels, as the bishop should choose; and the said venerable father weighing matters, duly dispensing to us on the foresaid impediment, by the foresaid authority, has injoined us, that a chaplanry should be founded in the

church of Glaſgow, at one of our altars; there, to enjoy yearly, a penſion of ten merks ſterling, out of certain of our rents for ever; and we have promiſed faithfully ſo to found the ſame chaplanry, within a certain time, now paſſed, then fixed on to us, by the ſaid biſhop. Know then, for the foreſaid cauſe, us to have given and granted, and by this our preſent charter, to have confirmed for ever, for us and our heirs, to God, the bleſſed virgin, St Mungo, and for one chaplain, celebrating, and to celebrate for ever in the church of Glaſgow; the foreſaid ten merks ſterling for ſuſtenance of the ſame chaplain, to be uplifted yearly out of an annual rent of L. 40 ſterling, ariſing from the lands of Cars-abbot, within the ſheriffdom of Stryveline, and due to us and to our heirs, by the religious men, the abbot and convent of the monaſtery of Holyrood of Edinburgh, to have and to hold, and uplift yearly for ever to the ſaid chaplain, for the time being, by the hands of the ſaid religious men, at the terms of Whitſunday and Martinmas in Winter, by equal portions, in free, pure, and perpetual alms, as freely, openly, fully, and honourably, as any alms are granted, given, or enjoyed in any part through Scotland. And we for ever transfer, nevertheleſs, all right competent to us, by the charter of infeftment of our ſovereign lord king Robert, our grandfather, of worthy memory, or the obligation of the ſaid abbot and convent, or every other evident, to compell the ſaids abbot and convent to payment of the ſaid annual rent of ten merks to the biſhop of Glaſgow for the time, and to the chapter of Glaſgow, during the vacancy of the ſee, by this our perpetual charter; and we make, conſtitute, and ordain them, and each of them, ſo far the aſſignees of us and of our heirs. And if by chance it may happen, which God forbid, that the ſaid ten

merks

merks yearly, not be uplifted by the ſaid chaplain, as ſaid is, either becauſe, that the ſaids abbot and convent will not pay it, or cannot be compelled to the payment of the ſame, or becauſe, that we, or ſome of our heirs may hinder or obſtruct the payment of the ſaid ten merks, againſt this our preſent inſeftment and grant, or if we or they ſhall procure the ſame to be impeded by us or by any other, privately, publicly, directly, or indirectly, we bind us and our heirs, by all our effects moveable and immoveable, to pay the ſaid ten merks out of any other of our rents, wherever the biſhop of St Andrews, for the time, or his chapter, during the vacancy of the ſee, may think proper to chooſe, during the whole time that the payment of the ſaid ten merks, to be uplifted out of the ſaid annual, rent may be diſcontinued; ſubjecting us and our heirs to the juriſdiction and coertion of the biſhop of Glaſgow and his official for the time, that they may compell us and our heirs by every kind of church cenſure, to perfect all and ſundry the above mentioned things, in caſe we or they fail (which God forbid) in any of the premiſes; and, moreover, we and our heirs foreſaid, warrant, acquit, and forever defend this our donation and grant of the ſaid ten merks, to be uplifted, as foreſaid, out of he ſaid annual rent, to the ſaid biſhop, the church of Glaſgow, and to the chaplain, for the time being, againſt all mortals. In witneſs whereof, our ſeal, together with the ſeal of John Stewart Lord of Kyle, our eldeſt ſon and heir, is appended to theſe preſents, before theſe witneſſes, a venerable father Sir Robert, abbot of the monaſtery of Kylwynyne, and Sir John Stewart our brother, Hugh de Eglintoune, Thomas of Fauſide, knights, John Mercer, burges of Perth, John de Roſe, and John de Tay-

lor, ſquires, and others. At Perth 12th January, A. D. 1364.

This is that memorable charter of Robert the ſteward, afterwards king of Scotland; whoſe authenticity, ſo many learned and famous men have confirmed with one unanimous conſent: now let us proceed to anſwer Atwood's objections, or rather cavils againſt it.

The firſt, which is objected to this charter, is the uſe made of the plural number, which plainly ſhows Atwood a ſtranger to the manner of theſe times, at leaſt to the Scottiſh cuſtoms. For altho' among the Engliſh, the cuſtom of applying the plural in place of the ſingular, very ſeldom may have obtained, nothing yet has been more frequent among the nobility of the firſt rank in Scotland, from the time of Robert Bruce to this day. There are innumerable inſtances of this; but paſſing over ſuch as are preſerved in private charter-cheſts, (and not inſtancing thoſe which Atwood impudently argues to be forged,) I ſay, we ſhall produce to public view a few of our king David II's, (who was co-temporary with Robert Stewart) and theſe from public acts which are entirely clear. The charters to be here mentioned by us, are of that kind called charters of confirmation, commonly called *inſpeximus* or *vidimus*, and which have the deed confirmed, verbatim, ingroſſed in the charter.

1ſt, Is a confirmation of William earl of Sutherland, to his brother Nicolas, 17th October, of the king's reign 34, *i. e.* 1363.

2d, Confirmation of a charter of Patrick de Dumbar, earl of March and Moray, made to Alexander de Richinton, 18th April, of the king's reign 35, *i. e.* 1365.

3d,

3d, Confirmation of a charter of Thomas earl of Marr, made to Egon ſon of Fergus, 9th September, and of the reign 36, *i. e.* 1365.

4th, Confirmation of a charter of Patrick de Dumbar, earl of March, granted to Thomas Papedy, 10th February, of his reign 37, *i. e.* 1367.

5th, Confirmation of a charter of Patrick of Dumbar, earl of March and Moray, made to the prior and convent of Coldingham, Auguſt, of his reign 38, *i. e.* 1367.

6th, Confirmation of a charter of Thomas Stewart, earl of Angus and lord of Bonkyll, made to Andrew de Perkenton, 10th March, of his reign 39, *i. e.* 1369.

7th, Confirmation of a charter of Walter de Leſley, lord of Filarth, made to John of Urchard, 8th December, of his reign 39, *i. e.* 1369.

8th, Confirmation of a charter of Donald, earl of Lennox, made to Maurice of Buchanan, 26th January, of his reign the 41ſt year, 1371.

Of theſe charters (in every one of which, theſe noble perſons mentioned, always aſſume the plural number, when ſpeaking of themſelves ſingly,) the firſt is more ancient than the charter of Robert Stewart, by one year and almoſt three months, the ſecond and third are both written in the ſame year, the fourth and fifth two years, the ſixth four years, the ſeventh almoſt five years, and laſtly, the eighth is ſix years later than that charter of Robert Stewart's. To this may be added, that Robert Stewart was of a higher rank than any of them, for he had been viceroy of Scotland all the time that king David was priſoner in England, and was appointed to be heir to the crown by his grandfather Robert Bruce's teſtament, and by an act of the eſtates of the kingdom,

dom, after David Bruce and his children. It is manifeſtly clear from theſe examples, that the uſe of the plural number for the ſingular was uſed at this time, not only by our kings but by our nobles; and ſo far from condemning this charter of Robert Stewart as forged, for this reaſon, that on the contrary, if he had applied the ſingular number ſpeaking of himſelf, no ſlight ſuſpicion might ariſen from thence, concerning the authenticity of the charter; ſince no one man of high rank in Scotland, ſo far as I know, uſed at that time any thing but the plural number in their charters.

Atwood's ſecond argument, by which he endeavours to weaken the authority of this charter, does exhibit a remarkable ſpecimen of his ignorance, or more properly of his baſeneſs, and the little credit he deſerves; for, ſays he, the fraud appears from this, that "Robert, as if he "had been king, ſubjects himſelf and his heirs, "in whatever dioces they ſhould happen to dwell, "to the juriſdiction of whatever biſhop." But Atwood, of deſign, wickedly corrupts this paſſage; for Robert does not ſubject himſelf to the power of any biſhop whatever, but, according to the promiſe, by which he, in the beginning of the charter, teſtifies he was bound to William biſhop of Glaſgow, and ſubmits himſelf and his heirs to that biſhop, and him only, and to his ſucceſſors, or their official for the time being, that he might be compelled to the annual payment of the ten merks, granted to his church by this charter; and that, if neceſſary, by church cenſure. How guilty then is Atwood of prevarication, who from theſe words of the charter, "Subjecting us and our "heirs to the juriſdiction and coertion of the "biſhop of Glaſgow," &c. to infer that Robert Stewart

tewart meant to transfer himſelf from the juriſdic-
ion of one biſhop to another, and as he pleaſed?
or there is no mention of any one biſhop in this
harter but the biſhop alone of Glaſgow, as I have
aid, to whoſe church that annual penſion, therein
ientioned, was due by the preceding promiſe, in
hoſe dioces many of the eſtates and poſſeſſions
f Robert himſelf lay, ſuch as the earldom of
arrick, lordſhip of Kyle, barony of Renfrew,
nd the iſland of Bute; but as to the clauſe itſelf,
very body the leaſt ſkilled in theſe matters
nows, that nothing was more ſolemn in thoſe
ays, than that ſuch as granted lands, or other
ims to religious men and places, did ſubject them-
elves to be chaſtiſed by the moſt terrible eccleſi-
ſtical cenſures, if they failed in the performance
f their promiſe. Nothing can be more abſurd,
han to alledge that theſe words bore "the ap-
pearance of affecting the ſovereignty by Ro-
bert Stewart before the time," for kings ne-
er ſubjected themſelves to the cenſure of any bi-
op, except the biſhop of Rome; and that rare-
r, and only when they had buſineſs with foreign
rinces, in ſecuring their treaties and conven-
ons.

The third argument is unworthy of an an-
ver; for what ſort of reaſoning, I pray you, is
his, "That lord viſcount Tarbat had not been
able to diſcover by the narroweſt ſcrutiny, that
conſanguinity which was a bar to the marriage
of Robert to Elizabeth More; *ergo* it was null,
and the marriage itſelf a fiction." For by this
eans, and the like reaſoning, a man however
ble, or any other man, becauſe their origin may
ve been concealed for 300 years, for that rea-
n it muſt be held as ſpurious. In vain then do
arned men labour in diſcuſſing theſe ancient mo-
numents

numents, if every thing that is found written in them muſt be deprived of credit, unleſs, forſooth, it be clear from extrinſic arguments, not only concerning the writts themſelves, but of every accidental circumſtance connected with them.

4th, What Atwood objects to the charter in the fourth place, plainly contradicts common ſenſe; ſays he, "There is no mention of payment or de-"mand ſupported by law, of the ten merks "granted for ſupport of the chaplain." What payment or demand does this ſilly caviller mean? could any other payment of this money, or demand of it be made, than what is plainly ſignified by the words of the deed? Robert in it, promiſes to William biſhop of Glaſgow, That he would found within a definite time, under a certain condition to be performed by the biſhop, one or two chapels within his church. Robert acknowledges that the condition was performed, that the day of performing his promiſe was long paſſed; that he might therefore excuſe what he had promiſed, by words or writing, he takes care to grant this charter, by which, he in the ſtricteſt manner, binds him and his heirs to pay yearly the ten merks ſterling, to the chaplain who ſhould ſay maſs in the church, under the condition which the biſhop demanded; (but Atwood may perhaps ſay, for what elſe, he can ſay, I do not ſee, "That Robert, now here in that "charter, ſays, that he was called upon to fulfil "the performance of his promiſe," as if every thing, which preceded any bargain, ought to be narrated in it when reduced to writing. It is probable, that Robert had been required by the biſhop to found the chapel, and had indued it properly, the time being long ago elapſed: the words of the deed ſeem to inſinuate this pretty clearly; but

but though this was wanting, it is ſufficient to refute the cavils of Atwood, to ſay that Robert, of his own accord, and induced by no other cauſe but his own promiſe, had fulfilled it as became an honeſt man, by granting this charter.

The fifth and laſt argument of Atwood, at firſt appearance ſeems to have ſome weight, *viz.* "That it appears ridiculous that he, who is de-"ſigned earl of Carrick 1350, ſhould 14 years "after, in 1364, deſign himſelf by the plain title "of lord of Kyle, *i. e.* by an inferior degree "of honour." Atwood here reſts upon a foundation altogether falſe; for ſo far is this charter of David II. which viſcount Tarbat mentions, in which John, the eldeſt ſon of Robert Stewart is deſigned earl of Carrick, from being written in 1350, that it was not written till the end of 1370, or beginning of 1371, and is therefore poſterior to this charter of Robert, concerning which we are diſputing, no leſs than ſix years. The typographical error in the book written by viſcount Tarbat, afterwards earl of Cromarty, in which he vindicates the legitimacy of king Robert III. from the ſtain fixed on him by moſt of our hiſtorians, this error, I ſay, afforded a handle to Atwood's miſtake or rather fraud. In the earl of Cromarty's book, page 26, ſpeaking about this charter of David II. he ſays, that it was written 17 years before the death of queen Euphan, the ſecond wife of Robert Stewart. This number 17, the careleſſneſs of the printer has changed to 37, as is eaſy in ſuch caſes; the noble lord ſaw and amended that miſtake in another edition of his book. Atwood, unleſs he intends to diſſemble, has not been able by any means to catch him in another part of the book, except in p. 24, where the earl of Cromarty ſays, that this deed of David's

was granted in ſome one of his laſt parliaments. But as to the thing itſelf, I affirm to have ſeen this charter with my eyes in the public records, the laſt of all the acts of David II. and placed poſterior to 20 others of the 41ſt year of his reign; and therefore, I do aſſert, that it was written and granted, as I have ſaid, in the 1370 or 1371 of the Chriſtian æra: for ſince it is dated at Edinburgh, it could not for certain have been granted in the year 1350; for, from the 1346 to 1357, David was priſoner in England, and ſurely he could not in perſon hold any meeting of the eſtates of parliament, during all that period, at Edinburgh.

From theſe things, I think it has been demonſtrated, how frivolous, and of no import, all the reaſonings of Atwood are againſt this precious charter of Robert II. But, that this matter, if poſſible, may be yet more clear, there is a copy of this very charter in the excerpt from the larger regiſter of Glaſgow, written in the year 1556, as it teſtifies, at which time there had been no diſpute concerning the legitimacy of Robert III. as yet moved; which regiſter, Alexander Baillie, Eſq; of Caſtlecary, a man of good taſte, and while he lived, moſt ſtudious of the antiquities of his country, gifted to the advocates library. Therefore, Atwood, of conſequence, has been moſt unreaſonable to alledge, that this charter has the appearance of being forged by the monks at Paris.

What has been ſaid, is ſufficient, concerning the Scottiſh charters, and the many advantages to be reaped from them, which makes up the firſt and principal part of Mr Anderſon's performance.

XXXV.

XXXV.

IN the next place, a few things are to be ſaid of the ſeals of the kings of Scotland; of which, and of ſome others, there are engravings or plates exhibited in Mr Anderſon's work. There is a particular part aſſigned for the reſt of the ſeals, from our James I. where the charters end, to queen Anne, during whoſe reign the two kingdoms were happily united. There is no need for us to ſay much concerning the origin of ſeals and their antiquity, nor of the various ſorts of them, ancient and modern, ſince Theodore Hoppingius a German lawyer, John Mabillon a very celebrated benedictine French monk, and John Michael Heinneccius inſpector of the diſtrict of Magdeburg, have treated principally of this ſubject. It will be ſufficient for our purpoſe, if premiſing ſlightly a few things belonging to this ſubject, we treat a little more diſtinctly concerning the firſt uſe of them among us, and the various methods of uſing them.

XXXVI.

And, firſt of all, it is plain, that ſeals were invented that they might add credit and authority to tranſactions and writings; for, (as Mabillon's words are) "The marks formed by the leading of "the hand could eaſily be forged by others; there "was engraven on ſeals, ſome mark or effigy "which could not be imitated, unleſs with great "trouble, by forgers; nor yet (as he immediately adds) were theſe ſeals exempt even from this "kind of forgery." For the innumerable deeds ſealed by wicked men, with forged and ſtolen ſeals, almoſt in every age, confirm this.

XXXVII.

We are informed from the ſacred ſcripture, that the uſe of ſeals was very ancient; for when Pharaoh king of Egypt, chooſed to ſet the patriarch Joſeph over his people, he is ſaid to have put the ring taken from his own finger, on the finger of Joſeph; but that was given not ſolely for ornament, but as a badge of authority: therefore Abraham Gorlæus, Theodore Hoppingius and others, and after them Mabillon, judge, that it is moſt probable, that this ring was a ſeal-ring; for the ancients, as we ſhall immediately ſhow, uſed rings for ſeals; and what confirms this opinion is, that there is expreſs mention in the book of Exodus of ſeals and engraven gems. Likewiſe we read about the ſealing-rings of Achab king of Samaria, and Ahaſuerus king of Perſia. From theſe eaſtern nations, the cuſtom of ſealing all kind of inſtruments, public and private, was derived to the Greeks and Romans, and the Romans, at firſt, allowed only the judges, and ſuch as were of the equeſtrian order, to wear ſeals; afterwards, however, the uſe of them was promiſcuous both to men and women. Mabillon ſays, that this cuſtom paſſed from the Romans to the kings of the Franks, and then to the biſhops of that nation and other nobility, of which he adduces a famous document of Childoric I. who began to reign in 456 or 458, which is preſerved in the royal cabinet.

XXXVIII.

Seals ſucceeded in the place of ſealing-rings. The reaſon of the introduction ſeems to have been, becauſe the firſt, as they were larger, exhibited cha-

racters

racters of letters and men, and the repreſentation of ther things more clearly and more diſtinctly than ings, which were only of ſuch a ſize as were roper for wearing on the fingers. For although he luxury of the Romans daily increaſing, they ame to that pitch of folly in wearing them, that ings were changed at different ſeaſons of the ear; to which theſe following lines of Juvenal lludes.

Ventilet æſtivum digitis ſudantibus aurum.
Nec ſufferre queat majoris pondera gemmæ.

Yet we muſt not imagine that theſe, even ie biggeſt winter rings, to have been ſo big as ie ſeals which kings and princes uſed afterwards. ndeed I believe ſeals at firſt were only public, nd applied to confirm affairs of greater moment; hile the uſe of rings, in ſealing of letters, and her charters of leſs conſequence, did not altoether go into diſuſe. But afterwards, when als (as we have ſaid of rings,) which only were firſt uſed by kings, judges, and other eminent en, became common to perſons of inferior nk, and the promiſcuous uſe of them was praced in all affairs conſigned to writing; no other ſtinction remained, but that ſeals of a larger or naller ſize was applied, according to the nature of e buſineſs tranſacted, public or private, or rather cording to the greater or leſs rank of the uſers.

XXXIX.

In the ancient ſealing-rings, the engraving was rious and manifold, and according to each per-n's fancy. In the beginning, as *Meurſius* obſerves, mple letters were only engraven on them; ſoon thereafter,

thereafter, the images of men, of brutes, and of other things, began to be engraven. And at firſt, it was done on the materials of which the ring was made, either of iron or of gold, not upon the precious ſtone, which the luxury of after-ages introduced. Such as incline to know more about the marks and images, which were uſed to be inſcribed upon theſe ſeals of the ancients, may conſult, if they pleaſe, *John Kirchman* above cited, who treats of this ſubject, accurately and fully enough; but principally Abraham Gorlæus, who ſpent a great part of his eſtate in collecting together gems, ſeals, and others, from every quarter; and has publiſhed engravings of them in a book, which he calls, for that reaſon, *Dactilio Theca*; which *James Cronovius* republiſhed in the year 1695, much inlarged, with his explications. But after the deſtruction of the Roman empire, with which followed the loſs of arts and learning, rings alſo, and ſeals, which came in their place, were diſtinguiſhed in nothing ſo much, as in the excellent art and neatneſs of the family mark, and ſimplicity of the inſcriptions; for as they were made moſt part for uſe, not for ſhow, nothing was at firſt engraven, but the plain name of the owners, ſometimes without any thing elſe, often engraven round the images coarſely ſtamped. Arts and learning reviving a little under Charles the great, a little more elegance ſhewed itſelf in theſe ſeals; and not long after, various figures, ſwords, ſtandards, crowns, and other enſigns of ſupreme power and military renown were added; and at laſt, marks proper to each kingdom or family, came into uſe; which cuſtom yet remains.

XI.

XL.

What relates to the different kinds or diviſions f ſeals, as *Hoppingius* deſcribes theſe at full ngth, it will be ſufficient for our purpoſe, to re- ark, That there was a greater and leſſer ſeal; e firſt was denominated the *authentic* or *common* al, the laſt, the *ſecret* or *privy* ſeal. The uſe the *authentic*, which we now call the *great al*, was in public matters, ſuch as *diplomas*, which e commonly call charters, privileges, remiſſions, d the like: but the privy ſeal got its name from is, that it was uſed in more ſecret affairs, for ample, in epiſtles. Letters ſealed with this laſt al, were for moſt part *ſhut*; and ſuch as were aled with the authentic ſeal, were *open*; thence plomas, to which this laſt was affixed, were ed to be called *letters patent*. Nor was the ivy ſeal uſed only in private buſineſs, but it was ewiſe uſed in public tranſactions, being put on e back of the great ſeal; for which reaſon it was lled the *counter ſeal*, becauſe it uſed to be put the oppoſite ſide of the great ſeal; ſometimes, *Duſreſne* remarks, it is to be found hanging at great ſeal; but Mabillon deſires us to notice, at the counter ſeal, which is of equal ſize with great ſeal, muſt be diſtinguiſhed from the pri- ſeal, as is the modern cuſtom.

XLI.

eals of old uſed to be affixed to parchment or pa- r, then they were made pendent; which kind was t uſed by the French king Louis VI. ſirnamed *le ſ*, but ſeldom; but Mabillon ſays always by Louis I. his ſon, and that he firſt brought in the cuſtom the reverſe or counter ſeal; yet, before this time,

he

he aſſerts, That ſome ſeals of biſhops, and other grandees of France, were pendent; of which, he brings an example of the charter of Agnes, widow of Henry I. to which he ſaw the ſeal of Philip I. hanging, and he thinks that it was in imitation of theſe, that William I. commonly called the conqueror, who was the firſt (as we ſhall obſerve afterwards) who brought over the uſe of ſeals among the Engliſh, made uſe of ſeals hanging to the charters, and of counter ſeals; of which, there is a remarkable document from *Selden*, who exhibits a charter with the ſeal hanging at it, in his notes on Eadmerus's hiſtory of extraordinaries (*Novorum*), granted by that king to the monaſtery of *Battle-abbey*, ſo called from the victory obtained over Harold at it; on the foreſide of which, William, as duke of Normandy, is repreſented under the figure of a knight, armed cap-a-pee, with this inſcription, "By this, ac-"knowledge William for your patron;" on the reverſe, the ſame perſon, as king of England, with a ſword in his right hand, and a globe, adorned with a croſs, in his left hand, with this ſuperſcription, "By this, you may confeſs this man for "your king." The learned *Hickes* remarks, That this ſame William uſed a ſeal, in that noble charter in the Cotton library, granted in the year of the incarnation 1067, whereby theſe innumerable valuable gifts are granted to the church of Weſtminſter, to which is affixed the king's ſeal, with four columns of ſeals, of the moſt famous witneſſes of rank; which ſeal of the king, it is more than probable, was pendent, as he ſays.

XLII.

XLII.

We ſpeak here of the public ſeals ſtamped on wax, all of which, as we have ſaid, were in uſe to be affixed, before the 11th century, to paper or to parchment, but afterwards, uſed to be hung to them by a binding of ſilk, or of hemp, or of parchment. Of old, at leaſt in the beginning of the 9th century, the then emperors of the eaſt, and of the weſt, alſo the kings of the Franks, and other kings, ornamented their charters and letters often with gold ſeals, and ſometimes with ſilver ſeals; but theſe were all hanging at the charters, which were written on both ſides, and were called by another name, bulls. Lead ſeals were very rarely uſed but by the popes, among whom alone the uſe of ſuch ſeals remained for many centuries; from whence their charters got the peculiar name of *bulls*; whereas, formerly, the charters of kings and princes, and the ſeals with which they were ſealed, went under this common appellation.

XLIII.

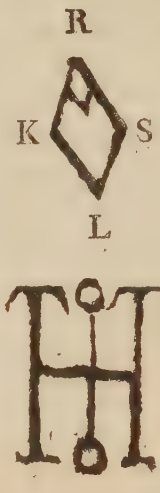
The uſe of ſeals was not introduced among the Engliſh till later, not till the time of William the conqueror; for, before that, the kings of the Anglo Saxons, the biſhops, and other illuſtrious men, did no otherwiſe authenticate their charters, but by prefixing the ſign of the croſs to the names of the witneſſes: for William, and the Normans, his followers, according to the teſtimony of Ingulphus, abbot of Croyland, "Fixed the authen- "ticity of charters by the impreſſion of wax on "the ſeal of each, below the mark of three or "four witneſſes preſent." *Hickes* mentions a

charter of Edward the confeſſor, which he had ſeen in the archives of the church of Weſtminſter, yet extant, written in Saxon, and authenticated by the royal ſeal appended; but he owns, "That "ſealing of charters with pendent ſeals was not "in uſe among the Engliſh before the time of that "St Edward II." And he adds afterwards, "In- "deed, the uſe of any ſeals whatever, were rare "among the Anglo Saxons, whoſe kings, we "read, ſometimes did authenticate their letters "with them; but, ſays he, I do not know one "inſtance, that they uſed ſeals for ſealing char- "ters or diplomas." The before-named writer of the chartulary of Canterbury, although he ſays, that no ſeals of wax, but only marks of the croſs are to be found in the ancient writings before the conqueſt; yet, he excepts from this number, ſome charters of king Canute, as being a foreigner and conqueror: but theſe *Hickes* eſteems to be ſpurious, nor does he doubt, "That "if they were examined, their forgery would be "detected."

XLIV.

XLIV.

In ancient times, beſides ſeals, the uſe of ſubſcribing charters by monograms or cyphers was very frequent. A monogram is the name of any one, deſcribed by platting of letters, ſo that almoſt all the letters of the name are contained in it, as theſe in the margin, CAROLVS, OTTO. *Dufreſne*, *Mabillon*, *Heinneccius*, and the often cited author of the *Chronicon Gotwicenſe*, prove from *Plutarch*, and from *Symmachus*, the cuſtom of theſe cyphers to have been very ancient; they were firſt uſed in ſeal-rings, afterwards on the coins of the eaſtern empires, of which many examples are to be met with among the collection of coins by *Golzius*, *Vaillantius*, *Strada*, *Occo*, *Spanhemius*, *Bandurius*, &c. The cypher of the name CHRIST preceded the others in antiquity and dignity; which, if we are to believe *Lactantius*, *Conſtantine* ordered to be inſcribed upon the imperial ſtandard by advice from heaven; which cuſtom, his ſucceſſors long retained. From coins, cyphers paſſed to the reverſe of ſeals; from which again they paſſed to charters themſelves; which, cuſtom the kings of the Franks, from Charles the great to Philip III. retained ſucceſſively; beſides, not to mention the Roman pontiffs and other emperors, *Dufreſne* has publiſhed engravings of all of them that have come to his knowledge. *Joannes Peringſkioldus* informs us, that the



ancient kings of the Swevi and Goths made uſe of cyphers of this kind; and *Hickes* remarks, that the Anglo Saxons ſometimes uſed them, and that either the ſimple mark of the croſs, or the ſtandard cypher of Chriſt, was always prefixed by them to their charters.

XLV.

There are many things belonging to the ſubſtance of ſeals, ſuch as the colour of the wax, their different ſhapes and ſizes, the devices, and the like, inſcribed on them; all which, ſince Heinneccius and others have explained, we ſhall ſlightly touch upon, and run over their principal heads, as we haſten to conclude the ſubject.

1. It is probable, that in the moſt ancient times, yellow or dark coloured clay, in its natural colour, was uſed for making the impreſſion of the ſeal upon; next, the white colour was more the taſte, and commonly uſed by all princes of old; afterwards, it was only permitted to a few by privilege. The emperors of Conſtantinople, as well as the Roman pontiffs in their brieves, frequently uſed red wax, as approaching near to the purple. Sometimes, but very ſeldom, the emperors of the eaſt, but oftener the kings of the Franks, uſed it alſo. The green colour, bordered moſt partly with yellow, obtained in the 14th century. They anciently made uſe alſo, frequently, of wax of different colours, in which one colour is on the ſeal, another colour on the counter ſeal. In very many, the innermoſt part of the ſeal or impreſſion is either of red or green wax, the outer part like a mould of wax ſurrounds the former. In ſome ſeals, the one ſide is of red or green wax, the other of white or yellow; ſo that the border is plainly wanting.

wanting. But, to return to ſeals of one colour; many changes were made on them, even by princes of the ſame nation, and by others at different times: for our kings moſtly uſed white wax, which cuſtom, I think, was followed till the time of Charles I. and now with us, green wax is uſed in ſuch letters as we properly called *charters*; in *commiſſions* red wax; in *remiſſions* white wax is applied. At this day, the red colour of wax is for the moſt part uſed by the emperors and princes of Germany, as it is by the kings of Denmark, Sweden, and Poland. Among the kings of France, of old, the white wax, afterwards the red, then the green, was the faſhion; at preſent, every diploma there is ſealed with yellow wax.

2. As to the ſhape of the ſeals, thoſe that are round or oval, as the ſimpleſt are the moſt ancient. The kings of the Franks of the *Mero-vingian* line made uſe of round ſeals, as is clear from engravings of them publiſhed by *Mabillon* and by others, while the kings of the race of Childerick preferred the oval figure; but thoſe of the *Carolo-vingian* line, down to Charles the groſs, rather chooſed the oval figure, till he introduced again the round ſhape, which *Arnulph* and all the reſt of the German emperors conſtantly retained. Oblong ſeals, ſharp at both ends, are not ſo ancient; for they began to be uſed in the 12th century, and were often uſed by biſhops, abbots, and other churchmen of greater dignity; alſo, ſometimes by women of high rank. There are ſome ſeals to be met with of a triangular figure, bearing the ſhape of a heart, or of a ſhield, or of a leaf. The uſe of theſe, however, was not frequent among the nobility till before the 12th century; as then

coats

coats armorial began to appear upon ſeals. The rareſt of all ſeals are thoſe of a ſquare ſhape, which *Heinneccius* remarks, that one or two of the popes made uſe of. The ſame *Heinneccius* mentions laſtly, a couple of hollow ſeals, which have the impreſſion in the middle of the round, very deep, but the inſcription on the circumference raiſed; ſo that the whole ſeal ſeems like a broad plate. I myſelf remember to have ſeen ſome of this kind. At this day, among moſt nations, the plain and ſimple round ſhape of the ſeal is received in public deeds, and either the round or oval figure in private deeds.

3. As to the ſize of the ſeal, this is only to be obſerved, that in proceſs of time, it increaſed to a greater and greater ſize; excepting gold ſeals, which the price of the metal reſtrained within moderate bounds. The wax ſeals of the kings of the Franks, ſuch as the emperors Conrad I. and Henry I. as Heinneccius obſerves, do not exceed in ſize a German Florin. The ſeals of the three Othos meaſure almoſt three inches in diameter, thoſe of Conrad II. four inches, of Lotharius four and an half inches, of Otho IV. Henry VII. and William, five inches, of Rodulph I. almoſt ſix inches, and the greateſt of them all, that of Frederic III. meaſures ſeven inches. The like difference obtained in the ſeals of kings, princes, biſhops, and others, of each of which it would be too tedious to define the ſize. But the ſize of ſeals towards the end of the 14th century, having been brought to the utmoſt, decreaſed by little and little, till they returned to the ſize which we now uſe at this day.

4. We have treated partly above of the various figures uſed to be marked upon the ſeals of the

the ancients, we ſhall proceed to a few others, when we come to deſcribe the Scottiſh ſeals. Whoever deſires to have a full and diſtinct knowledge of thoſe things, we remit them to the often cited Heinneccius, Mabillon, and the author of the Chronicon Gotwicenſe.

XLVI.

It remains, to add ſomewhat concerning the different frauds committed by forgers upon ſeals as well as upon charters. The induſtrious *Heinneccius* remarks, that there were ſix ways whereby a forgery or miſtake may be committed in theſe, and illuſtrates them by examples. "For, ſays "he, either falſe ſeals are appended to forged "charters; or falſe ſeals are appended to ge- "nuine ones; or true ſeals are appended to for- "ged deeds; or the charter is ſo artfully cut, as if "the ſeals had dropped from it, when there ne- "ver really has been any ſuch at it; or the ſeals "are ſtamped on the back of the deeds; or laſtly, "the ſeals themſelves are inverted." The induſtry of learned men have detected and condemned the greateſt part of the firſt kind, in this and the preceding century; among which is that forged one of our Malcolm III. concerning which we treated above, both the deed itſelf and the ſeal appended to it. The forgery of the ſecond kind is more rare, and chiefly applied, when the genuine ſeals were much worn or had dropped away from the charters; of which cheat Mabillon gives ſome inſtances. Of the third kind, none is better known than that infamous and moſt wicked one, by which Phelim o' Neil, an Iriſhman, would have made it to have been believed, that that moſt horrid maſſacre, deteſted by the more moderate papiſts, was perpetrated on the Iriſh proteſtants

proteſtants in the year 1641, by the authority of king Charles I. of Great Britain; for he procured a ſeal, taken from another charter of the king's, and fixed it to a new inſtrument made up by himſelf; by which that beſt and moſt merciful of princes is pretended to have given orders for that horrid villainy. Phelim himſelf, brought to trial and condemned to death, confeſſed it before ſeveral witneſſes; ſo that it is moſt ſurprizing, there ſhould be ſome, who harbour ſuch an hatred againſt the memory of that good king, that they bluſh not to publiſh and defend this charter as true and genuine. I ſuperſede to talk of other kinds of frauds and miſtakes committed in the affair of ſeals, ſince there is not ſo great wickedneſs in them. The two laſt articles mentioned by Heinneccius, perhaps, owe their origin to ignorance and careleſſneſs. But above all, Heinneccius deſerves to be conſulted, concerning the methods how the forgery of ſeals may be detected.

XLVII.

Having premiſed theſe things, concerning the origin and different uſe of ſeals among different nations, we muſt next ſubjoin ſomething concerning the practice of our nation in this matter.

And firſt, it is very probable, that before the time of Malcolm III. called *Canmore*, we had not the uſe of ſeals, at leaſt in ſealing public charters; that therefore, the kings, and other great men in Scotland, who lived prior to his time, followed the example of their neighbours the Anglo Saxons, and that they no otherwiſe confirmed the authenticity of their charters, but by writing the

the names of witneſſes who were preſent at the tranſaction; to which names, the ſign of the croſs was prefixed. What makes me believe this, is, that the charter of our king Duncan II. the ſon and ſucceſſor of that ſame Malcolm, which is to be ſeen, number firſt, of Mr Anderſon's collection, wherein the name of Duncan himſelf, and of the witneſſes aſſiſting, are ſubjoined, with a croſs prefixed to each of their names, in manner above-mentioned: beſides, Duncan's ſeal is added; but it is done in imitation of William the Norman, who firſt, as we have ſhown, brought in the uſe of ſeals among the Engliſh; and often, for the greater authenticity, joined both cuſtoms together, to wit, of writing the names of witneſſes below, and likewiſe of appending the ſeal. Which practice, although his immediate ſucceſſors William II. Henry I. and Stephen, ſeldom adopted; by little and little, however, it was received among the Engliſh, and the cuſtom of writing the names of the witneſſes below, was laid aſide; they eſteemed the appending of the ſeal to be ſufficient to the validity of their charters. In affairs of greater moment, witneſſes were adhibited; but their names were not, as formerly, written below, but uſed to be inſerted in the inſtrument itſelf, towards the end of it: which practice was brought from the Engliſh to us, which all our kings, from Duncan II. obſerve to this day.

Secondly, It is to be obſerved, that Alexander I. introduced, firſt of all our kings, the uſe of the reverſe or counter ſeal; for, before that, Duncan II. and his brother Edgar were content with a ſingle ſeal, with an impreſſion on one ſide only. It can ſcarcely be doubted, that a ſmall ſeal, or what they called the ſecret or privy ſeal,

was made uſe of in ſuch epiſtles, and other writings as were of a private nature. But I never have found, that it ever was adhibited together with the greater ſeal; which yet was the form, in thoſe times, among the kings of France, as well as the earls of Flanders; for in every charter which I have ſeen of theſe kings, the fore-part, as well as the reverſe, are of the ſame bigneſs. As to what pertains to the nobility of Scotland, the kings ſons and heirs, it is probable, that they, in theſe ancient times, never applied but a ſingle ſeal, without the ſecret ſeal or counter ſeal; for this reaſon, that the charters of David I. while he was earl, and alſo of prince Henry his ſon and heir, and of David earl of Huntington, the grand-child of David I. are only to be ſeen authenticated with one ſeal. To the ſeal, indeed, of Coſpatrick younger, earl of Dunbar, there is another leſſer ſeal added on the back; but that is not the ſeal of Coſpatrick himſelf, but of Robert biſhop of St Andrews, within whoſe dioceſe the church of *Erderham*, confirmed to the monks of Durham, was ſituated. In the century immediately following, among the ſeals of the nobility of Scotland, appended to that famous letter, written to the pope in the year 1320, the ſeal, only, of Duncan earl of Fife is double, or marked with an impreſſion on both ſides; the ſeals of the reſt of the earls and barons are ſingle.

Thirdly, it may be remarked, that Edgar was the firſt of the kings of Scotland, who is exhibited on his ſeal, remarkable by his royal dreſs, and other enſigns of ſupreme power: for Duncan II. who preceded him, is repreſented as a knight ſitting on a horſe, having his head covered with a helmet, a ſtandard in his right hand, in his left, holding a ſhield, (which form was long after kept in counter ſeals, and uſed by illuſtrious

illuſtrious men of an inferior rank, who made uſe of a ſingle ſeal) but, that he might ſhow, that he was truly king, poſſeſſed of ſovereign and independent authority, cauſed himſelf to be repreſented on his ſeal, ſitting on a throne of majeſty, adorned with a crown, a ſceptre in his right, and bearing a ſword in his left. From hence, by the bye, eſpecially from the inſcription round the ſeal, in theſe words, IMAGO EDGARI SCOTTORUM BASILEI; Anderſon, among other arguments, rightly argues, that the above-mentioned charter of Edgar's is a forgery, by which he is pretended to acknowledge himſelf a vaſſal of William II. of England. But Edgar ſeems to have learned this practice, of repreſenting theſe badges of ſupreme power upon his ſeals, from the kings of England, William I. or II.; or, rather may be ſaid to have done it, after the example of his grand-uncle Edward the confeſſor, who has both theſe enſigns of ſupreme power repreſented on his ſeals, beſides the title of BASILEI inſcribed. Mabillon and the author of the Chronicon Gotwicenſe, notice, that the emperors of Germany, and the kings of the Franks, received this cuſtom from the Byzantine emperors, among whom it had, a little before, been introduced: among the firſt of theſe were Henry I. then Henry II. who exhibited themſelves on their ſeals at full length, ſitting on a throne. The former kings and emperors, who only uſed rings for ſeals, ſeldom engraved any thing elſe on theſe but their head, either bare or adorned with laurel; afterwards, their picture or image, to the length of their breaſt. Charles the groſs added the ſhield and ſtandard. Conrad I. among the Germans, and Louis d' Outremere among the French, firſt introduced the crown on the ſeals.

They and their ſucceſſors, to that Henry III. of whom we have ſpoke, are ſtamped half length upon their ſeals, except Otho III. who is ſometimes repreſented ſtanding at full length. Moreover, Otho I. introduced the cuſtom of repreſenting them holding the imperial apple, or, as it is called, the globe in the left hand; whom the kings of France, England, Scotland, and other European princes imitated.

Fourthly, It is worth notice, that although all the kings of Scotland, from Edgar to James VI. are repreſented on the fore-part of the ſeal, ſitting on a throne of majeſty; yet they did not make uſe always of the ſame enſigns, nor theſe placed the ſame way: for Alexander I. ſubſtituted a ſword in place of the ſceptre, which Edgar bore in his right hand, and bears an apple or globe, adorned with a croſs, in his left, with which his immediate ſucceſſors David I. Malcolm IV. William, and Alexander II. are repreſented. But Alexander III. and John Baliol ſeem again to hold the ſceptre in their right hand; and the laſt, to put the ſceptre in the palm of his left hand; and the former, to handle the gem of a chain hanging from his neck. Robert Bruce is beheld with a ſceptre in his right and a globe in his left. David his ſon, as alſo Robert II. and III. and all the James's, except James VI. and VII. are ſeen bearing a ſceptre in their right, with their left laid on their breaſt. Edward Baliol is repreſented holding a ſceptre in his right, and laying his left hand on the globe. The ſeals of queen Mary, repreſent her, while ſhe was unmarried, bearing a ſceptre in her right, and her left hand upon her breaſt; after ſhe was married, and when a widow, holding a ſceptre with both her hands, but of a different

rent kind. All theſe kings are repreſented on the reverſe or counter ſeal, in the dreſs of a knight; but, as ſhall be ſhown afterwards, in different forms. Laſtly, James VI. and his ſucceſſors kings of Great Britain to this day, changed that figure of a knight on horſe-back, on the reverſe of the ſeal, to the cuſtom of expreſſing the arms of the three kingdoms upon the counter ſeal.

Fifthly, It is to be obſerved, that all the kings of Scotland, after Duncan II. are repreſented wearing the crown on their head, except William and Alexander II.; for the former is beheld with his head bare, the latter with a cape on his head; but the crown, which is ſeen placed on the heads of the reſt, riſes into three tops or rays, the middle one has the appearance of an entire lily, that on the right and left of half a lily; the crown is open on every one of them till queen Mary, who is the firſt beheld with her head adorned with a cloſe crown. We ſhall afterwards obſerve, that James II. is repreſented dreſſed with a crown, having the upper part cloſe; though his ſucceſſors James III. and IV. ſometimes James V. uſe the open crown in their coins, and always on their ſeals. Louis XII. firſt brought in the cuſtom of bearing the cloſe crown, and Edward IV. among the Engliſh. Its uſe is much more ancient among the emperors of Germany, though ſometimes laid aſide for a time.

Sixthly, The thrones, on which our kings are repreſented ſitting, firſt, as they are leſs in ſize, differing nothing from common ſtools; ſo they are coarſe and without ornament. They began afterwards to be more and more ſplendid; ſo that, if they did not excel, they, at leaſt, ſeemed

ed to equal thoſe of their neighbours, not only by the variety, ornaments, and figures, but in the elegance of workmanſhip; nor do our kings appear leſs conſpicuous as to the royal dreſs, *viz.* The cloak, gown, veſt, and the reſt of the clothing, in which they rival their neighbours; but, as theſe may be better underſtood by ocular inſpection, than by any deſcription, I paſs them over.

Seventhly, To proceed to the figure inſcribed upon the counter ſeals; the firſt obſervation that occurs is, that all our kings, from Alexander I. to James VI. are ſhown mounted on horſe-back, and ornamented with military arms; but the former, Alexander I. David I. Malcolm IV. and William, brandiſhing a lance or ſpear, adorned with a ſtandard, the reſt a ſword, drawn; but all of them holding a ſhield on their left arm; all of them armed *cap-a-pied*, that is, with a coat of mail on their body, and a ſhield on their head, except William, who has a veſt over his coat of mail, which may alſo be ſeen in the armour of Alexander II. and other kings. We obſerve various forms of theſe coats of mail on the ſeals of our kings, according to the cuſtom of the ancients; for Alexander I. David I. Malcolm IV. wear a coat of mail of plates of iron, ſome of them overlapping one another like fiſh ſcales; others, again, as Alexander I. and III. likewiſe Robert Bruce, and both the Baliols, and, if I am not miſtaken, David II. are clothed with a coat of mail, compoſed of ſmall rings reſembling a tirles, linked together like a chain; in others, as in Duncan II. Robert II. and III. *&c.* the armour conſiſts of different pieces, for the arms, breaſt, back, and thighs; in ſome, as in theſe of Edward Baliol,

Baliol, the legs are repreſented guarded with theſe ſmall iron rings; others appear with moſt part of their legs and feet bare; others the greater part of their thighs bare, or covered with boots or ſome other thing, ſome with, and ſome without ſpurs.

Eightly, I proceed to the trappings and other ornaments of the horſes, which are engraven upon the ſeals; in theſe, indeed, one may obſerve the wonderful modeſty and ſimplicity of ancient times, compared with the pomp and magnificence of the modern ſeals; for, among the moſt ancient, as of the firſt earls of Flanders, remarked by Oliver Uredius, "Sometimes 'neither the bridles are to be ſeen on the horſes, 'nor ſaddles, nor ſtirrups, which were unknown 'to the Romans, ſo that they had no name for 'them, called now by a modern Latin word *ſtapedes*; for (adds he) anciently they eſteemed 'it genteel to leap upon a horſe, and manage 'him by taking hold of the mane." During theſe times, ſaddles were very ſimple, and different in nothing from a cuſhion, unleſs that ſometimes ſeveral taſſels with nobs (which is the cuſtom now) hung down along the ſides of the horſe for ornament and elegance. Saddles (as Henecciius obſerves) were not "bound to the horſe, as 'is now the faſhion, by bringing a girth un'der the horſe's belly, but with a ſtrap paſſ'ing croſs the counter of the horſe, or by a 'breaſt-leather, ſo that it could not fall off; and 'they adorned this breaſt-ſtrap, as a chief orna'ment to the horſe, with many trappings, bells, 'and knobs." Breechings, afterwards, were added, which anciently came from the ſaddle over the buttocks of the horſe, ſuch as we put on horſes

horſes which we yoke to carts, but not on thoſe yoked to machines, in which we are carried; this is to be ſeen in the ſeal of our Duncan II. which, it is a wonder, is wanting in thoſe of the following ſeals, down to Alexander III. nor is it to be ſeen in the ſeals of the kings of England before Henry III. or of the earls of Flanders before Baldwin, afterwards emperor of Conſtantinople. From that time, kings and princes ſhowed great ſplendour in capariſoning their horſes, ſo that they covered not only the hind-parts, but likewiſe the fore-parts of the horſe with houſings and ſaddle-cloths, beautifully embroidered with different colours, ſo that nothing was to be ſeen but the neck of the horſe, ſometimes only the head and ears. Beſides theſe exterior coverings of horſes calculated only for ſhow, they alſo covered over the whole body of the riding horſes, ſuch of them as were denominated great horſes, or war horſes, with a coat of mail, interwoven with theſe iron rings, ſewed together with thread, to protect them from the ſtrokes of weapons: the exact repreſentation of each of theſe, they took care to have engraven on their ſeals.

Ninthly, Among the ornaments uſed to be ſtamped on the ſeals, the family coat of arms held the principal place; William was the firſt of our kings who uſed them, or his ſon Alexander II.; the foregoing kings are repreſented carrying ſhields in their left hand, but theſe plain, marked with no certain ſymbol or emblem to diſtinguiſh them from the kings of other nations: from which it is moſt certain, that the uſe of enſigns of this ſort, was much more modern among us than is commonly believed; neither ought the authority of John Fordun, or of Hector Boece, and other

other of our authors, to ſtumble us, who give a red lion on a ſhield, (*argent*) as the coat of arms of the kingdom, and which king Achaius ſurrounded with a double treſſure of lilies, in memory of the league entered into betwixt him and Charles the great. And the ſame authors relate, that the like cuſtom was conſtantly obſerved by all the kings of Scotland following; for, in this, our hiſtorians have uſed the ſame freedom as the writers of the neighbouring nations, France, England, Spain, and others have done; by which they might render the origin of their ſeveral nations more ancient and more auguſt, and make up coats-armorial for their kings, many centuries before the uſe of them was at all known in the world; as has been long ago ſettled by the ſcience of heraldry. It is without controverſy, that coats of arms, taken in a more extenſive ſignification of that word, for figures of animals and other things, put on ſtandards and ſhields, is very ancient, and co-eval almoſt with the beginning of kingdoms. But theſe were of a very different kind from the other, and deſtined for a different purpoſe; the former were certain and fixed, the latter vague and changeable, according to the fancy of thoſe that made uſe of them. The principal uſe of the one was, to diſtinguiſh families in the time of peace; the other to diſtinguiſh friends from foes in time of battle, and the different bodies of men in armies, the one from the other. From the ſimilitude, however, of theſe enſigns, no doubt, theſe laſt, commonly called arms, and which the French ſignificantly call *armorials*, drew their origin; others derive them from the time of the expeditions into the Holy Land, commonly called *Croiſades*; others, again, derive them from combats,

called by a barbarous name *tourneaments*. The former of these opinions, Spelman, Camden, Selden, Shefferus, and many others, defend: Menestre, a French author, very learned in antiquities, chiefly in heraldry, rather inclines to the latter. However this be, it is agreed on by all writers on this subject, that these coats of arms, fixed and hereditary as they are now used among almost all the European nations, had their beginning no earlier than the eleventh century. What puts the matter beyond controversy is, that the most ancient marble sepulchral-monuments of princes and noblemen, their seals, coins, nor buildings, have not any such ensigns carved on them before that age. To confirm this by examples, Louis VII. surnamed the Younger, who began to reign in the year 1136, first used the lily, but only a single one, on his seals; which practice, his son Philip Augustus, and his great-grandson Louis IX. followed; but Louis VIII. the son of Philip Augustus, though he sometimes has only a single lily on his counter seal, yet he often bears many of them, without any certain number; which custom was continued by all his successors (except Louis IX.) down to Charles VI. who first reduced their number to three. Among the English, Richard I. co-temporary with our William, was the first who has a lion painted on his seal; the same prince, when he returned from the Holy Land, substituted a new seal, upon which was engraven three lions; but this ensign does not seem to have been then fixed and proper to the English; for Matthew Paris, an author of these times, writes, that three leopards, *passante*, not lions, were conferred upon Henry III. the nephew of Richard, by the emperor Frederick II. about the year 1234: and the same conjecture

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is to be made concerning the ſeal of Robert de Friſo, earl of Flanders, in the year 1072, on which, Oliver Uredius repreſents a lion *rampant*, which coat of arms or badge, may be concluded, was aſſumed by fancy, not as hereditary; from thence, Philippus Elſatius firſt reſumed that which had been laid aſide by five of his predeceſſors, about the year 1163. With reſpect to the kings of the Swevi, Magnus Sadula was the firſt, on whoſe ſeal, Schefferus perceived the arms of that kingdom, *viz.* three crowns engraven on one in the year 1275, on another, in 1248. Laſtly, According to the teſtimony of Heinneccius, Ludovicus Bavarus was the firſt of the weſtern emperors who ornamented his ſeals with the eagle, about the year 1314; Sigiſmund of the two eagles, which were placed on each ſide of the throne, made one; and ſo the double eagle. The cuſtom of ſtamping the coats of arms on coins prevailed much later, that is, not till the 14th or 15th century, as we ſhall hereafter ſhow, when we come to treat on the ſubject of coins; in which age, ſymbols were borrowed from flowers, as the roſe by the kings of England, and the thiſtle by the kings of Scotland.

But before I diſmiſs this ſubject of ſeals, I cannot paſs over in ſilence, that very ſtrong proof which the above-mentioned ſeal of our Alexander II. or rather, if we may credit Mr Niſbet, of William his father, does afford of the antiquity of the league betwixt Scotland and France; for, what can that double order of lilies put round the lion mean, unleſs, that the memory of that ancient friendſhip, then ſubſiſting betwixt both nations, might be tranſmitted to poſterity by this double ſymbol; the one adopted long before by the

French, the other then firſt aſſumed by the Scots, for their royal enſigns.

And theſe are the principal things which we had to ſay about the ſeals of our nation: if there be any other thing more particularly worth notice, we ſhall touch on them in the index of the charters and ſeals, ſo far as they ſeem neceſſary.

XLVIII.

We now come to the laſt part of Mr Anderſon's performance; in which, ſuch of the Scottiſh coins as are remarkable, at leaſt, for their variety, are elegantly engraved; to which is added, as connected with coins, ſome heroic ſymbols of our kings, alſo engraved, to complete the work. Theſe laſt, as they are deſigned, principally, to convey to the mind ſome moral precepts, by ſome beautiful and cunning emblems, we ſhall end the ſubject by making a recapitulation of them. But, as the firſt of theſe afford no ſmall aſſiſtance for illuſtrating hiſtory, and the different manners of nations, they deſerve a more full explication; for, to uſe the words of the marquis de Freher, "That money is not only a moſt uſeful engine in "human ſociety, but is alſo not among the leaſt "marks of ſovereignty; for, in all ages, it "has belonged to princes to uſe that method of "publiſhing their name and repreſentation, and "have always kept the management of this ar-"ticle, as ſacred in the ſtate, above all others." The practice among the Romans can never be enough commended in this matter, who had regard not only to the conveniency of commerce, but, by their coins, they intended to preſerve the memory of their exploits, by various inſcriptions and repreſentations. Bnt ſince that time, the prima-

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y uſe of coining money has been only retained, neglecting the other, as only ſecondary, yet there are many things which a ſkillful enquirer will find out, worthy to be known, from the coins of theſe later ages, and not a little conducing to elucidate hiſtory. No one will expect from us an anxious diſquiſition and long deduction on coins, or of the different excellencies and uſe of them. This ſubject has long ago been handled by ſo many very learned men, that the conſciouſneſs of our want of ſufficient knowledge of the ſubject, added to the reſpect we have for our readers, whom we are afraid to tire by too much prolixity, forbid us to dwell upon. It is enough for us to explain in general, and in as few words as we can, whatever has occurred, concerning the affair of coinage among the Scots, which we have undertaken to treat of only in this place.

XLIX.

The firſt thing that falls to be conſidered in the Scottiſh coins, is their origin and antiquity; and here we muſt confeſs, that the uſe of coin was received much later among us, than among our neighbouring nations of the Saxons, Franks, Germans, and others. What almoſt perſuades us, among other things, of this, is, that ſuch as have treated about the coins of theſe nations, ſhow many of them ſtruck by their kings in the moſt ancient times, that is, in the 6th, 7th, and ſome even in the 5th century after the Chriſtian æra; whereas, none are to be found among us, ſtruck before Alexander I.'s time, who began to reign in the year 1107. It might indeed happen, that the money coined by our former kings, were either conſumed by uſing, or by ruſt, or buried under ground; and ſo have never appeared.

appeared. But, that theſe are very few, and not more ancient than the age of that Alexander I. appears pretty plain from this, that tho' very many Roman, and other ancient coins, of other nations, are dug up in different places, yet no ſuch chance or occaſion ever diſcovered any Scots coins, older than thoſe which we mentioned; ſo that, I am apt to believe, in that ancient and rude age, the northern inhabitants of this iſland, ſituated in the outmoſt extremities of the world, and far from any place where the Romans had introduced luxury by conqueſt, and for that reaſon, paſſing their lives in ſobriety, after the manner of the firſt inhabitants of the world, were ignorant of, or eſteemed money very little, which had ſo captivated the eyes of the reſt of the world; but afterwards, when they came to learn from their neighbours, the Britons, or Saxons, perhaps, alſo from the Romans, from their commerce with them, which formerly was tranſacted by barter, the utility of current coin; it is not improbable to think, that they came into this practice of their neighbours, by introducing the uſe of money. But, ſince even the uſe of money was rare among the richer nations, and foreign commerce yet leſs frequent; thence I am of opinion, that many nations, living in countries not ſo fertile, ſuch as Scotland was, had no coins of their own, either on account of the ſcarcity of mechanics, or rather of ſilver, and were content with money brought from other countries, in buying and ſelling, for ſome centuries. What does in no ſmall degree confirm this, beſides what we ſaid above, is, that in the various hoards of money, dug up in Scotland in different places by accident, there are many more Engliſh than Scots coins found: a certain proof, that there was a much

greater

reater plenty of current coin among the Engliſh
ian in Scotland in theſe times.

L.

I am not ignorant, that the opinion of our hiſto-
ans is ſomewhat different in this matter; for
ector Boece, though he aſſerts, that there was
o coined money in the time of king Reutha a-
ong the Scots; and alſo relates, that all the riches
onſiſted in flocks and herds, long after, under
aractacus the leader of the Siluri (whom he
laces among the kings of Scotland, but in my o-
inion, without juſt grounds) and of the Brigan-
ies, whom he reckons among the Scottiſh tribes.
But treating of Donald, the firſt of that name, who
egan to reign about the year of Chriſt 199, he
ays, "That he coined gold and ſilver money,
"with the ſign of the croſs on one ſide, and on
"the other his own effigy, that he might thereby
"hand down to poſterity the memory of the Chri-
"ſtian religion having been introduced among
"the kings of Scotland." And adds, "That our
"countrymen uſed before that time no coined
"money, but in place of it either barter, or Ro-
"man, or Britiſh coins." Leſley has the ſame
ccount; but Buchanan, knowing that this was
upported by no proper authority, (although Boece
ffirms it was ſo related in our annals) paſſes it
over, as it deſerves, in ſilence; nor does he, any
where, ſpeak of any money having been coined
by our ancient kings. Indeed, writing of Do-
nald V. he ſays, "That ſome believe, that at
"that time the ſilver money, which we at this
"day call Sterling, was coined in the town of
"Sterling." But Buchanan hints, as if that mo-
ney had been ſtruck, not by Donald king of Scot-
land,

land, which Nicolſon thinks, but by the Anglo Saxons, who had reduced that part of Scotland under their dominion, which Boece and Leſley expreſsly affirm. I, for my part, eſteem the whole to be a fable, and ſupported by no other reaſon than by a ſimilitude of names; and the rather, that William Lowndes ſhows, that the denomination of money in *Sterlings*, was not introduced till ſome years after the death of William the conqueror.

LI.

But leaving theſe matters, let us proceed to what can be ſaid more ſpeciouſly concerning the Scots coins. And this is firſt to be laid down as the foundation, that our kings, from the beginning, followed the cuſtoms of other nations; but chiefly that of their neighbours the Engliſh, in ſtriking their coins. That will clearly appear from what follows, by making a compariſon of the coins of both nations betwixt each other.

1ſt, There was the ſame method of computing money by both nations.

2dly, The ſame purity of metal was employed in coining, by both nations, for ſeveral centuries.

3dly, For ſome centuries, not only the ſame quantity and weight of metal went to the coins of the ſame name and ſpecies, but the ſame figure and thickneſs was preſerved in both countries.

Laſtly, Coins were ſtruck by both nations, by the ſame mechanical art. It is neceſſary to treat of each of theſe a little more diſtinctly, that every thing may be the plainer.

LII.

1. As to what relates to the method of computing money, our countrymen, juſt as the French and

and Engliſh, from the moſt ancient times, reduced all ſums of money to three denominations, as we call them, *viz.* pounds, ſhillings, and pence. But although theſe denominations in current coin, always bore almoſt the ſame proportion or relation to each other, that is, 12 pence made one *ſhilling*, and 20 *ſhillings* one *pound*, as they at preſent do; yet the purity of the metal differed very much, at different times, as alſo, as to the quantity and weight.

In the more ancient times, among the Engliſh, and then, as we ſhall afterwards ſhow, among the Scots, not only the pureſt ſilver, mixed with very little allay, was uſed in coinage; but theſe denominations, generally, did anſwer to the weight of the coins from which they derived their origin. For, although the Engliſh do not uſe the ſame proportion in counting money, as in numbering other things, for with them, the pound is divided into 12 ounces, the ounce into 20 penny-weights; yet, the ſame quantity of metal was contained in the numeral pound as in the real *pound* weight; and the old penny was not only a denomination of money, but alſo the name of a weight, that is, it made the 20th part of an ounce, and the 240th part of a pound weight; from thence, that is called to this day a penny-weight. In proceſs of time, partly owing to the poverty of princes themſelves, or by their covetouſneſs, partly by the frauds of the coiners and forgers, there was a great change made in the value of money, among moſt part of the nations of Europe; for the pounds in money, which, in the beginning, equalled a real pound weight, by degrees, though it retained its name, its weight diminiſhed, and its purity began to be corrupted

and adulterated with the mixture of other and baſer metals.

How much princes have hurt themſelves and their ſubjects by theſe devices, this is not the proper place to treat of, ſince there are ſo many complaints of ſenſible men concerning it; this only it is proper to obſerve, that from this change, and debaſing of the coin, there aroſe a twofold rule for valuing coins, the one taken from the intrinſic, the other from the extrinſic value or price of the money. The intrinſic value of money is always the ſame, and every where conſiſtent with itſelf, eſtabliſhed by common conſent of every nation, by which the ſame price is fixed to the ſame quantity of gold or ſilver, whether bullion or coined. But the extrinſic value of money, is that value which kings and princes put upon it as they pleaſe, and therefore it varies, not only among different nations, but changes at different times; moreover, this extrinſic value of money, conſiſts in the form and appearance of the coin. But we meaſure the intrinſic value, by the goodneſs and weight of the materials: we call this by another name, the *allay*. The allay is a degree of baſe metal mixed with the pure metal in a certain proportion; therefore coiners have eſtabliſhed this rule for diſtinguiſhing the purity of gold or ſilver; they divide each maſs, of the one or of the other metal, into certain degrees or parts, the gold into what they call 24 carrats, the ſilver into 12 penny-weights. By this means, they ſay, that pure gold, refined to the higheſt degree, has the purity of 24 carrats; if one twenty-fourth of ſilver or braſs be mixt with the gold, it becomes gold of 23 carrats; if one twelfth, it is of 22 carrats; if one ſixth, it is of 20 carrats, and ſo on. In

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the ſame manner, they denominate the pureſt ſilver to be of 12 penny-weight fineneſs. If, in place of the ſilver, one twelfth of baſe metal be ſubſtituted, it is ſaid to be of 11 penny-weight fineneſs; if one ſixth, of 10 penny-weight; if one fourth, it is of 9 penny-weight, and ſo on. Theſe degrees of metal uſed to be ſubdivided into ſmaller parts, differently, by different nations. The Germans divide the carrat into 12, the penny-weight into 24 grains. The French, in mentioning fractions of carrats, proceed to 32, which they expreſs by 2, 4, 8, 16, 32, always doubling the preceding fraction, having no regard to the intermediate fractions or ſmall parts, as 3, 5, 7, and of thoſe that follow; the penny-weight into 24 grains, and ſubdivide that again into one half, one fourth, and one eighth part. But the Engliſh diſtribute the carrat into four grains; and meaſuring the purity of ſilver, they divide the pound into 20 penny-weights, and this laſt into 24 grains. And the Scots, which is ſurprizing, rejecting both the cuſtom of the Engliſh and French, according to the German cuſtom, divide the carrat into 12, the penny-weight into 24 grains; in dividing the grains, they ſeldom proceed beyond halfs or quarters, neglecting altogether the more minute parts. Yet all agree in this, that they determine the true and intrinſic value, from the greater or leſſer quantity of other metals mixed with the gold or ſilver, in theſe proportions. From this mixture, of baſer with more precious metal, the *ſtandard* of money has its origin. Now, the ſtandard of money is, that bounds preſcribed by the ſovereign, in tempering the materials of which money is coined, within which, the coiners, as far as in their power, are obliged

to confine themſelves. The French call it *pied de monnoye*; and alſo, call the money which has greater or leſs allay mixed, *monnoy foible ou fort*: thence it is, when money is raiſed to its greateſt purity, it is ſaid to be *refortiata*. To this belongs that which the coiners call *remede*, by which is to be underſtood, a deficiency allowed by the ſovereign permiſſion, in coining a certain quantity of gold or ſilver: for, ſince it ſcarcely ever can happen, that the preciſe limits for the purity or weight can be preſerved in coining, therefore, ſome grains are indulged by the ſovereign to the maſter coiners, which they are allowed to paſs from or be deficient in. From this cuſtom, the common expreſſion, *grains of allowance*, has taken its riſe. Having premiſed theſe things in general, for the greater perſpicuity;

LIII.

2. The next thing we proceed to, is the intrinſic value of the Scottiſh money. The eſſays made of it, and the coins of our neighbours of England, whom we moſtly followed, do demonſtrate, that it was at firſt of the fineſt and beſt ſtandard. And, it appears from their records, and principally, from the contracts which their kings and the maſter coiners entered into about this matter, that the Engliſh ſilver money, (for it ſhall afterwards be ſhown, that Edward III. firſt cauſed gold coins to be ſtruck) I ſay, it appears, that from the beginning, certainly from Edward I.'s time, that 11 ounces 2 penny-weight was in each pound, that is, 222 penny-weight of pure ſilver was mixt with 18 penny-weight of baſe metal; or, which comes to the ſame thing, that the proportion of baſe metal, contained in coined money, bore this proportion to the ſilver, as 3 to 37. All the kings of

f England followed this rule till Henry VIII.; ho, after having ſquandered away, by unbound- d luxury, the immenſe riches heaped up by s avaricious father, and alſo the riches which e himſelf had acquired, from the ſeizure of the evenues of the monaſteries, in order to ſupply is treaſury, reduced to poverty, and drown- d in debt, by a moſt wicked device, corrupted ne ſtate of the coinage in England, firſt by mix- ng with it a ſixth part, then a half, then two hirds of baſe metal. But, above all the reſt, Ed- vard VI. who debaſed his coins, by a refuſe of hree parts in four of the whole, of baſe metal. rom thence it is, that no ſmall commendation is ne to queen Elizabeth, as ſhe recalled the cur- ent coin to its ancient purity; which prudent eſolution, the ſubſequent kings of Great Britain ooked on themſelves conſtantly obliged to follow hereafter.

But, to return to the Scots; it appears, that ney ſtruck their coins, for the moſt part, of the ame fineneſs with the Engliſh, not only from oyal ſtatutes, made in that behalf, of which here- fter, but chiefly from this, that the value of noney continued the ſame among the Engliſh and cots, almoſt down till the year 1355. There is notable proof of this extant in Rymer's Fædera, *viz.* a precept of Edward III. directed that year o the ſheriff of Northumberland, entitled, "A ' proclamation concerning the new coin of Scot- ' land," which, as it comprehends other things be- onging to this ſubject, I have thought proper to lace it at full length in the notes. A little before his time, on account of the ſcarcity of money, which had been waſted very much by the conti- ual wars betwixt the two nations, and by the captivity

captivity of David II. in England, there ſeems to have been a conſiderable change made, not only in the weight, but in the purity of the Scottiſh coins, which gave riſe to this proclamation of Edward III. And, although it was provided not long after, in the year 1366, by a law of the ſame David II. of Scotland, that a remedy ſhould be applied to the evil, that is, "Money might be "made of the bullion brought into the kingdom, "which might equal, in weight and metal, the "money current in England;" yet, in the next year, 1367, the ſcarcity of money ſtill increaſing, as is probable, from the payments made for the ranſom of David II. it was ſtatuted, "That pre-"ſerving the like fineneſs of the money as in En-"gland, the weight of the pound of ſilver ſhould "be leſſened ten penny-weights; ſo, that out "of the pound ſhould be made 29 ſhillings, four "pennies, numeral or current ſhillings;" for which cauſe, it was ordered, by a law amongſt the Engliſh, by the ſame Edward III. in the 47th year of his reign, that is, 1373, of the following tenor, "Becauſe the Scots people, by their cunning, "have drawn the good ſilver money out of the "kingdom, and have ſettled their coinage at a "lower value than the money of England, and "ſo their coin is current in the ſaid kingdom, to "our great damage and defraud, and that of our "nobles and commonalty of the ſaid king-"dom; it ſtands ordered and agreed on that "head, That four pennies Scots be current for "three pennies, and ſo of leſſer money, according "to the quantity; and, if it happen, that the ſaid "money of Scotland ſhould be debaſed, then the "money ſo debaſed ſhall be put down to a leſs "value, according to the degree of the diminu-"tion."

tion." Nor is this caution in the end of the statute fruitleſs; for, not long after, ſometime before the year 1393, there was ſtill a greater debaſing of the Scots coin; for the ounce, which in the time of David I. was 20 pennies, contained 21 in the time of Robert Bruce, and is ſaid to contain 32 pence money in the time of Robert III. in the year 1393. Wherefore, in the 14th year of Richard II. that is, in 1390, it was enacted, That the groat, half-groat, penny, and half-penny of Scotland, ſhould not be current any longer in England, but for half their value. Laſtly, The value of money daily increaſing in Scotland, or, which comes to the ſame thing, the weight decreaſing, perhaps, alſo its purity, its currency was altogether prohibited in England; and it was enacted, That no other regard ſhould be had to it, than according to the proportion of ſilver bullion contained therein.

Almoſt the contrary fate happened to the Engliſh money, current in Scotland; for, although, while the money of both nations was of the ſame fineneſs and weight, the ſame value continued in both nations, as was reaſonable; yet, no ſooner was the extrinſic value of money changed among us, at leaſt beyond what it was in England, it could not otherwiſe be, but that in a ſhort time, a greater value would be put on their coins, than on ours of the ſame kind; thence it was, that the pence, groats, and other Engliſh coin, which were, till the year 1355, of equal value in both kingdoms, on account of the intrinſic decreaſe of our coin below theirs, by degrees, began to be eſtimated at a higher value among us; and, firſt three, then two, afterwards one of their pennies became equal to four of ours, till about the year 1600,

1600, it came that length, that the pound, ſhilling, and Engliſh penny, were equal in value to twelve of the ſame denomination in Scotland, which does yet hold among us. But we ſhall afterwards treat more particularly of this determined value of Scottiſh money, as well as about the comparative value of it with the Engliſh money, at different periods.

LIV.

3. The figure and ſize of our coins, ought next to come under our conſideration; and, even in this, as in almoſt all the reſt, we followed, ſtep by ſtep, the example of our neighbours the Engliſh; for, as among them, ſo with us, the coins were not only ſmall, but, for ſome centuries, of the ſame model or ſhape; for, at that time, there were no other coins ſtruck in Britain but only pennies, which behoved, therefore, to be of a thin or ſlender ſhape, and ſmall, ſince their weight did not exceed 24 grains, that is, one twentieth part of an ounce, and ſeldom ariſing beyond 22 grains; but, for the conveniency of ſmaller money, theſe pennies were divided by a double croſs, extending to the edge of the coin, and touching it, and was firſt broke into ſemi-circles, each of theſe again in two parts likewiſe; ſo that the ſemi-circle of the penny was the halfpenny, the ſemi-circle halved, ſerved the purpoſe of a farthing; and, *Stow* remarks, that this rude and abſurd cuſtom continued till the year 1279, that Edward I. ordered halfpennies and round farthings to be coined; nor can it be doubted, that theſe ſmaller pieces of coin began to be ſtruck among us about the ſame time, in imitation of the Engliſh, and of the ſame ſhape.

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The pennies themſelves were anciently called *ſterlings* or *eſterlings*, from this, that the beſt refiners and coiners had come from Royal Pruſſia, which lies eaſt from England, and, on account of the excellency of their coin; ſo that afterwards the cuſtom prevailed, that not only the money got the name of *ſterling*, but the intrinſic value of money, coined according to the rule of theſe eaſtern artiſts, was underſtood to be thereby meant; from thence, we denominate money of the pureſt ſtandard, by the name of pounds *ſterling*.

But, although the origin of coining pennies came at firſt from the Engliſh to the Scots, it may be doubted, whether the Engliſh or Scots firſt coined theſe ſort of coins, of four pennies in value, which the French call *gros*, the Germans *groſche*, we *groats*. *Speed* gives us the figure of a groat ſtruck by Edward I. of England; but Nicolſon ſhows, that that coin of Edward, was rather of Edward III. or IV. but certainly, not of Edward I.; for Nicolſon affirms, no coins of that kind were ſtruck before Edward III.'s time. But there are many groats of our David II. extant, who was co-temporary with Edward III. and coined in different places, many of them which bear the name *Robert*, and are to be ſeen in the collection of coins in the advocates library at Edinburgh; but which of the *Roberts* this may be, it is not ſo eaſy to determine. Nicolſon, and Mr Anderſon, following his authority, rejects all the groats that have the name of Robert, from being the coin of Robert Bruce, for this chief reaſon, that none of the coins of that ſort were then coined in England; and therefore, aſcribes all thoſe, which exhibit the profile of the king looking to the right, to be of Robert II.; but ſuch as exhibit him full faced, to

Robert III. But Mr James Sutherland, royal profeſſor of botany, a moſt accurate collector and ſearcher into all kinds of coins, but principally, into Scottiſh coins, does not heſitate to give the former of theſe to our Robert I.; for, although he knew, that almoſt every thing pertaining to coinage, was introduced among the Scots from England; yet, he was of opinion, that there was nothing to hinder, but that, from our ancient amity with the French, we might have borrowed ſomething from them: but Fr. Blancius ſhows, that the French fabricated large coins of this ſort long before Robert I.'s time; and who aſſerts, that it was not Louis IX. who firſt was author of them, but *Philip* the *auguſt*, who began to reign in the year 1180. The letter B, which is ſeen above the king's head, in ſome of theſe groats, and placed behind in others, he thinks, ſtands for the initial of the name *Bruce*; and which, indeed, ſeems to ſupport his opinion in ſome meaſure; certainly, by that letter, cannot be meant the place where it was coined, ſince that groat itſelf ſhows, that it was coined at Dundee; and many think, it was not decent for the coiner, to place his name in ſuch a remarkable part of the coin; but, it is not quite ſettled, that Edward II. was the firſt king, in the iſland of Britain, who coined groats, ſince there are extant, in the collection of coins in the advocates library, two half groats, one of Alexander II. the other of Edward I.; from theſe, it is probable, that entire groats, though they may be now loſt, have been ſtruck by theſe kings.

But theſe groats, whether introduced by Robert I. or by his ſon, David II. were the largeſt ſize of coins we had, till the time of queen Mary; after which time, there is no more men-

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tion of groats, half groats, pennies, or half pennies to have been coined in Scotland; for, from that time, as Nicolſon rightly infers, the price of ſilver (which daily increaſed under former kings) augmented ſo much, beyond all bounds, that theſe leſſer coins, which borrowed their name from pennies, went into diſuſe, and the coins which thereafter came to be ſtruck among us, began to get their name from ſhillings and merks, which is two third parts of a computed pound; ſo, about the ſame time, and for the ſame reaſon, pennies being forgot among the French, *pounds* and *ſhillings* ſucceeded in their place. There is no mention of theſe coins in the Scottiſh ſtatutes before the beginning of James VI.'s time, which the French and Engliſh call *teſtoons*, from their having the king's head ſtamped on them; but Nicolſon is of opinion, that their name was common enough in the time of queen Mary, mother of James VI. Certainly Fr. Blancius expreſsly calls ſome of the coins of Francis II. of France, and Mary of Scotland, his wife, *teſtoons*. Their value in England was always the ſame as ſhillings, but among the Scots, at firſt, they were five ſhillings, and then raiſed to a higher value, as we ſhall ſhow hereafter.

Queen Mary having returned home to Scotland in the year 1561; and being married to Darnly, in four years after, theſe large pieces of money began to be coined among us, which were then called *reals* or *royals*, but now *crowns*; than which, excepting medals, or Spaniſh or Dutch *ducadoons*, I do not believe, that there are any of a larger ſize coined in any part of Europe.

LV.

LV.

We muſt now ſay ſomething of the gold Scots coins; and Nicolſon is of opinion, that their origin is not to be carried farther back, than the time that the Stewart family came to the throne. The oldeſt gold coins yet found among us, bears the impreſſion of the name of Robert; and the ſame learned Nicolſon, conjectures it to be Robert II. or III. but not Robert I. by the ſame arguments that he uſes in the ſilver coins, that Edward III. was the firſt who ſtruck theſe kind of coins among the Engliſh, and he reigned after our Robert I. It is to be acknowledged, that there is no ſmall force in this kind of argument, but no body will eſteem it invincible and altogether deciſive; ſince it might eaſily have happened, that the Scots might firſt borrow the cuſtom of ſtriking gold coins from the French, among whom they had been in uſe before that time. It is certain, that the inſcription we ſee on the gold coin, of whatever Robert it was, *viz.* XPC. REGNAT. XPC. VINCIT. XPC. IMPERAT. was brought to the Scots from the French. The firſt, as Nicolſon himſelf acknowledges, who uſed this inſcription, which the coiners call the *legend*, was Henry V. of England, who put it upon his coins, in imitation of the French, who, however, did not begin to reign till ſeven years after the death of Robert III. and laſt of that name in Scotland: but not to diſſemble any thing in this matter, I rather incline to be of Nicolſon's opinion, becauſe, for this good reaſon, that there are no gold coins of David II. who reigned many years after Robert I. yet found.

It

It is more than probable, that the Scottiſh gold ins were ſtruck, of old, not only of the ſame in- nſic fineneſs, but of the ſame extrinſic value d ſtamp as thoſe of the Engliſh. Before James of Scotland, there is nothing to be found in r public acts, relating to gold money. But, the year that he returned from his captivity in ngland, 1424, it was enacted in parliament, That both the gold and ſilver coin ſhould be conform to that of England in fineneſs and in weight."

The Scots gold coins were almoſt of the ſame gure, and ſize, and ſhape, as thoſe of other na- ons, and principally of the Engliſh; for they ere all, anciently, accuſtomed to be ſtruck of a oad and large ſurface, but very ſlender and in. James V. was the firſt among us who con- acted their figure, by increaſing their thickneſs; that a greater weight was contained within arrower bounds, than in theſe ancient coins: cer- inly the gold pieces of that prince, commonly alled *bonnet pieces*, are ſo remarkable, not only or their compactneſs, but for the art of engra- ing, that I do not know if there ever was any oin, either then, or at preſent, in all Europe, hat comes nearer to the Roman coin in ele- ance.

It is not well known, by what names theſe more ncient coins of our kings were denominated; it s probable, that our people followed the exam- le of the Engliſh in this alſo, who gave the ge- eral name to all their gold coin, of *florins*, from he *Florentine* or *Tuſcans*, who then excelled in he art of refining, and ſtriking gold and ſilver oins; or they called them *nobles*, becauſe they were made up of the nobleſt, or the pureſt metal.

Anciently,

Anciently, alſo, it was a cuſtom among the Engliſh, that the gold coins were denominated by the ſame names as the ſilver; for they called the florins or gold coins, of the largeſt ſize, *pence*, the half of theſe, *half pence*, their quarters, *quadrantes* and *ferlings*; but afterwards, theſe pieces got their names from the devices inſcribed on them, ſo they were called *angels*, from the impreſſion of the angel trampling the dragon; the *roſe-nobles*, from the Engliſh roſe, ſurrounded with the regalia; *reals* and *ſovereigns*, were ſo called from the picture of the king, or from other ſymbols of ſovereignty: for almoſt the ſame reaſon, the names of *florins* and *nobles*, I believe, were put on the Scottiſh coins; as afterwards, the name of lions was more uſed, borrowed from the figure of the lion, the arms of our nation; and, I find the gold Scottiſh coins, called by that name, in the public acts and private contracts. Perhaps, as anciently, the *Darici* and *Philippi*, ſo now the Jacobuſes, Caroluſes, Louiſes, and Joanneſes, have their names from the kings, whoſe images they bear; thus of our kings, each gave names to the coins, on which their images were ſtamped.

LVI.

At what time copper money began to be coined among us, is quite uncertain; I have ſeen none older than James III. It can ſcarcely, however, be doubted, but their origin is ſomewhat older, and perhaps may be referred to the time of Robert III. or II. The reaſon why no coins were ſtruck of that metal by the preceding kings, may be attributed to this, that as they were of a ſmall ſize, and conſiſted, beſides, of that kind of metal which

is

more liable to ruſt than any other, they are all ore out by uſe, or deſtroyed by time. Our untrymen, in this, did not follow the Engliſh ſtom, who ſtruck no coins of copper before the ne of James I. but perhaps they followed the actice of other nations, or of the Iriſh. There as a kind of money introduced among the rench, from the time of Louis IX. which they ll billion, that is, ſilver mixed with a conſide- ble quantity of copper; there were two kinds this money among them, the one of which, ey term billion *ſupericure*, under which is mprehended all the money, the intrinſic value hereof deſcended from 10 to 5 *derniers*; the me of *billion infericure* is put on another kind, nder which is claſſed all the money, the intrin- value of which is below 6 derniers; they call th ſorts of this money *blanche* or white; which me is ſometimes given to copper money laid over ith ſilver, to deceive the eye of the vulgar, ough they be not worth ſcarcely two pence: om this kind, is to be diſtinguiſhed the money lled *noire*, black, becauſe in it the copper co- ur prevails moſt. Although there be no men- on in our more old public acts of mixed money, is probable, that our kings, even from David .'s time, miſled by imitating the bad practice of ne French, and other nations, in this matter, did repare, and melt down, and mix their coins ith a greater mixture of baſe metal than ought have been, which we call *allay*. The procla- nation of Edward III. which we cited above, ows this, by which the intrinſic value of ne Scottiſh money is indicated to have been hanged; and though it was preſcribed by the tatutes of our kings afterwards, *viz.* of the ſame

David

David II. Robert III. and James I. and II. that the money ſhould be made of the ſame fineneſs that the Engliſh money was; it can ſcarce be doubted, but, that in theſe times, either by pretences uſed by our kings themſelves, or by the trick of the coiners, and others, the ſilver money with us, departed from that which the law preſcribed. Certainly, among other things, it was objected to, by the rebellious ſubjects of our James III. and of which crime he was chiefly accuſed, that he had cauſed to be ſtruck black money, that is, copper coin mixed with a ſmall portion of ſilver. It is true indeed, this king's proceedings were unſucceſsful; yet no greater hatred ſhould have been raiſed againſt him, than againſt the other kings of Europe, who endeavoured very often, by the ſame contrivances, to relieve their ſtraitened circumſtances, by a no leſs hurtful conſequence: but that kind of black money which was coined by James III. was different from theſe coins, which the ſame king had ordered to be coined of purer copper, in his firſt parliament 1466; for it was then, at length, ordained by an ordinance of the ſtates, *That for ſuſtention of the king's lieges, and almous-deeds to be done to the pure folk, that there be cuinzieit copper money, four to the penny, havand on the tae part the croce of St Androw, and the crown on the other part, with the ſubſcription of Edinburgh, and an R. with James on the other part.* Nicolſon ſays, "theſe "were of the ſame kind which his ſucceſſors con- "tinued to coin, and which, during the reign of "James VI. were called *atchiſons*, from the "name of a famous coiner, at that time, in Scot- "land; and in the time of Charles II. paſſed for "4 boddles or 8 pennies Scots, but are now quite

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" wore out :" ſo far Nicolſon; but, with reverence to that great man, I muſt be excuſed to differ from him in this matter; for theſe *atchiſons*, of which, not a few are yet extant, are very different from thoſe copper coins of James III. of which, alſo, ſome are extant, both in ſize, as well as in value. The ſtatute itſelf ſhows, that the one exceeded the other, as much, almoſt, in value, by which that copper money is ordained to be worth no more than one fourth of a penny; but it is incredible, that a coin, which was in value the fourth part of a penny, in the time of James III. ſhould thereafter riſe to eight entire pennies, that is, thirty-two times the value. But, if I may be allowed to make a conjecture in this matter, I ſhould think, that theſe *atchiſons* approached the neareſt to the black coin of James III. which we have mentioned before; for the firſt whitiſh colour, which diſcovers itſelf in theſe *atchiſons*, ſeems to indicate, that they are mixed with a little ſilver, or laid over with that metal. Perhaps, of the ſame kind were the Scots coins, mentioned by *Fynes Moriſon* in his Itineraries, " Of theſe (ſays " he) ſome are called *babees*, eſtimated by them " of old, at ſix pence, others, *placks*, which were " worth four pennies, others, *hardheads*, worth " one penny half-penny; and he mentions, that " all theſe had been lately taken away," that is, before 1617, when he publiſhed his book. It ſcarcely can be doubted, but that there are ſome of theſe coins extant, but I confeſs I am not prepared to diſtinguiſh their ſpecies, and the different values of them from each other; but theſe ſmall copper coins called pennies Scots, worth one twelfth of an Engliſh penny, with this inſcription, NEMO ME IMPUNE LACESSET, ſeems to have been coined in James VI.'s time;

and the like were coined in the time of Charles I. So far as I know, the copper coins of two pennies, commonly called *twopenny* pieces, *boddles* or *turners*, and alſo *babees*, containing ſixpences, or half a ſhilling Scots, ſuch as the Engliſh call *half-pennies*, began to be coined after the reſtoration, in the beginning of Charles II.'s reign; theſe coined under William and Mary are yet current, and our countrymen complain, that ſince the union 1707, the coinage of theſe was altogether laid aſide, whereby theſe old ones being almoſt conſumed, there is no ſmall ſtagnation in the commerce of things of low price, and hinderance to the relieving the neceſſities of the poor.

LVII.

Before I finiſh this part, about the different kinds of Scots coins, of various metals, it will not be foreign to the purpoſe, to add a few things concerning theſe coins of a larger ſize, which ſome call memorable and hiſtorical, others, honorary and ſymbolical, commonly called medals and medalions; and it is no wonder, if very few of theſe have been ſtruck in Scotland, ſince, before the period that Britain came under the dominion of one prince, they were ſeldom ſtruck even in any part of Europe, far leſs in this iſland. John Evylin, an Engliſh author, in his learned treatiſe of medals, after having explained the notable uſe to be drawn from coins of this ſort, complains much of the ſloth of his countrymen in this matter, who ſhould have neglected to tranſmit to poſterity, the illuſtrious deeds of their kings, and other famous men; and from thence, this induſtrious and ſkilful ſearcher into antiquities, endeavours to bring to light a few Engliſh medals ſtruck before queen Elizabeth's time; but if this be any failing

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in the Engliſh, it is what they have in common with their neighbours the Germans, French, Italians, *&c.* among whom theſe ſort of coins of record, if they may be ſo called, were not much more frequent in theſe times; ſo that the learned Chriſtopher Schlegclius has aſſerted, that the uſe of that kind of coins did not prevail till about the 16th century, and that very few of them were ſtruck before that century. James IV. was the firſt among us, who ordered a medal to be ſtruck, the repreſentation of which, and its explanation, we owe to the celebrated Evylin.

Here the engraving of a medal is inſerted, not neceſſary in this tranſlation, becauſe of the following exact deſcription.

On the foreſide of this medal, James IV. is repreſented quarter-length, turning his face to the right, his head adorned with a crown, cloſed above with two thin plates of metal, with a coat of mail, together with the enſigns of the order of St Michael round his ſhoulders, the inſcription round the head, JACOBUS. III. DEI GRATIA REX SCOTORUM. On the reverſe is inſcribed a Dorick column, ſtanding on a rock or riſing ground near the ſea, on the top of which is the buſt of *Janus*, or a double buſt, crowned with laurels, which looks to two oppoſite promontories, a bay of the ſea lying betwixt them; above the double buſt is the word UTRUMQUE. Evylin thinks this piece had been ſtruck a little before that fatal affair of Flouden, in the year 1513, in which, that illuſtrious prince, with the flower of the nobility fell in battle. The next of the medal kind extant among us, is the gold piece of John Duke of Albany, and regent of Scotland in the minority of James V. ſtruck in the year 1524: Ni-

colſon ranks in this claſs, the three coins of the ſame James V.; but concerning theſe, and others of that kind, there will be a more convenient place to treat in the general review of the Scottiſh coins.

LVIII.

Fourthly, I now proceed to explain the agreement betwixt the Scottiſh and Engliſh money. As to what relates to the art of coining money in Scotland, there can be no doubt, but our people made uſe of the ſame method, and the ſame kind of inſtruments as their neighbours of England, as well as the *Italians*, *French*, and others did, in eſſaying, ſhaping, and ſtriking their coin. At firſt, the manufacture of coins, for many ages after the decline of the Roman empire, by the barbarous nations, was very rude and coarſe over all Europe, as well as in Scotland; ſo that, in thoſe days, the pretended artificers of coining money, differed very little from vagrant tinkers in our times: and, I am not certain, but that theſe coiners, who frequented and made part of the attendants of the courts of princes, did not coin money at whatever place the court reſided. What makes me, in ſome meaſure, believe this, is, the name of the coiner, inſcribed on the reverſe, in the firſt of the coins of our kings, *viz.* Alexander I. David I. and William, and the co-temporary kings of England; the name of a town, indeed, is added; but, I ſhall not affirm, whether it be the name where the coins were ſtruck, or the birth-place of the coiner; but, as in a little after, the name of the coiner was left out, and the name of the town is only mentioned, it is more than probable,

probable, that in both the former and in the latter, it denotes the place of coinage. Of old, among the Engliſh, and other nations, the right of coining belonged not to kings excluſively, but alſo, to ſome men of the higheſt rank, laymen, as well as eccleſiaſtics: but, as it was found, that this opened a door to many inconveniencies and loſſes in money matters, it was, very rightly, taken from ſubjects, and reſerved only as the property of kings. The prince alone, ſo far as I know, from the beginning, claimed, from his royal prerogative, the excluſive right of ſtriking money in Scotland; to whom alſo, all mines of gold and ſilver, wherever found, are acknowledged to belong, by the royal prerogative. But, it came to paſs, that, in imitation of our neighbours the Engliſh and French, various mints for coining money were eſtabliſhed in different places. The inſcription on the firſt coins, yet extant, indicates this, that money was coined in the principal towns of Scotland, as at Edinburgh, Aberdeen, Perth, Berwick, Stirling, Dundee, Linlithgow, Dumbarton, and Roxburgh; perhaps, ſome others, coined in other places, are loſt.

The chief inſtrument uſed, from the beginning, in coining, was a hammer, with which the figures or images, cut in ſteel types, were ſtamped on the metal for coinage, that being before cut into thin plates, and prepared for framing the money of the proper weight and ſize; but when, by this method, opportunity was given to wicked men, of clipping the edges of the money when ſtruck, nor could the growing evil be ſtopped, at length, in the ſucceeding century, or ſomewhat earlier, there was a new contrivance thought on, of coining

ing money by a mill and a preſs; by which, and another invention found out, of ſtamping on the margin of the coin, letters or ſmall notches, a ſtop was almoſt entirely put to the miſchievous fraud. It is not well known, who was the inventor of theſe ingenious contrivances. Fred. le Blanc, will have the invention of the mill and preſs in coining money, to have been owing to his countryman *Nicolas Briot*; which invention, when the French coiners would not follow, as not for their advantage, he, in ſplean, left them, and came over to England, and firſt taught the workmen there to ſtrike money in that faſhion. However this be, the Engliſh authors do confeſs, that the beſt method of fabricating money was not brought to perfection, till the reign of Charles II. that is, about the year 1673.

LIX.

But, time preſſes me to leave theſe things, and to enquire more exactly concerning the different ſtate of the coinage, at different periods among us; and principally, concerning the cauſe of the continual riſe in the value, for ſome centuries. But though the loſs of the accounts reſpecting that matter, in Scotland, renders it much darker with us than among the Engliſh or French; yet there are not wanting a few public acts, and private vouchers, which, though they do not render the affair of the Scottiſh coinage clear, they do at leaſt throw ſome light upon it. And, in the firſt place, it very clearly appears, from that famous proclamation of Edward III. publiſhed in the year 1355, that both the intrinſic and extrinſic value of money was the ſame in Scotland as in England; for, it is therein mentioned, in expreſs words, "That the ancient money of "Scotland had been of the ſame weight and al-

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lay as the Sterling money of England, for which, it was current in our kingdom of England." By this means, we learn from the authors of these times, that, in the time of William the conqueror, and of some of his successors, kings of England, not only an exact fineness of metal, but likewise the value of the computed pound, was the same with the real pound weight; and, among the co-temporary kings of Scotland, viz. Alexander I. and such of our preceding kings, (if any did coin money before him,) and David I. Malcolm IV. William, Alexander II. and III. and John Baliol, the same regulation prevailed, that is, that the coins of these kings were struck of metal as pure as in England, and the computed *pound* with us, equalled the real pound weight, as it did among them. The statute of Robert III. confirms this; in which, it is said, "That the pound in David I.'s time, ought to have weighed 25 *solidi*, shillings, or otherwise, 15 ounces: and, a little after, in the time of that king, the ounce contained 20 penny-weights."

In the time of Edward I. and the age co-temporary to our Robert I. the weight of the pound of money began to be diminished by both nations; for, out of the pound weight of silver, there were coined 20 shillings and 3 pence, in England; with us, 26 shillings and 4 pennies; the former is shown, by the very accurate Fleetwood in his *Cronicon preciosum*, the latter is confirmed by the before-mentioned statute of Robert III.

But, as the ounce is said to have there consisted of 20 and one quarter penny weights, and here, of 21 penny weights, we may estimate both ounces to have been nearly the same weight. The English pound, which contained 12 ounces with them,

them, was lighter than the Scottiſh pound, near one fifth part; becauſe in this laſt, there were 15 ounces. Not only the above-mentioned proclamation of Edward III. but alſo, the ſtatute of Edward I. ſeem to import this; by which the currency of every kind of coin, except his own and that of Scotland and Ireland, is prohibited.

But, in the time of David II. that ſort of coin was ſtruck amongſt us, which Edward III. complains, "was leſs in weight, and of greater "allay." From thence, it was, as we have ſaid formerly, that four pennies Scots are ordained to paſs for three pence Engliſh; and, althongh it was ordained by our David II. in his parliament, eleven years after, that is, in the year 1366, that the Scottiſh money ſhould be brought back to the ſtandard of the Engliſh, yet, the next year 1367, it was ſtatuted, That becauſe of the ſcarcity of ſilver money, that preſerving the ſame fineneſs of metal as among the Engliſh, the pound of ſilver "ſhould be diminiſhed in weight "ten penny-weight; ſo that out of a pound of ſil-"ver, there ſhould be made 29 ſhillings and four "numeral pennies.

I find nothing recorded about the coin of Robert II.; but that ſtatute of Richard II. abovementioned ſhows, that they were a little diminiſhed or vitiated, by a greater mixtnre of baſe metal, about the year 1390, which was the laſt year of our Robert II. by which, two Scots coins are ordained to be equivalent to one Engliſh coin, of the like ſpecies.

In the time of Robert III. in the year 1393, the value of money, increaſed more, ſo that the ounce of money, of that ſame king, is ſaid to contain 32 pennies.

Under

Under James I. it was ſtatuted, "That the "king ſhould cauſe mend his money, and order it "to be coined of the ſame weight and fineneſs as "the Engliſh." From this law, it appears, that he money ſtruck by the preceding kings, was of worſe kind than it ought to have been; but whether, that this law of James I. may have been obſerved with that care as it ought to have been, or becauſe, that the baſer coin of preceding kings had been allowed to have currency, or that it proceeded from ſome other cauſe, there is no doubt, but that the value of money increaſed ſomewhat among us, even under that moſt politic king. What almoſt convinces me of this, is, that money ſtill roſe under the ſubſequent kings.

For, in the time of James II. it was ſtatuted, "That there be ſtricken new money conformit, "even in wecht, to the money of England, and "that of the unce of brint ſilver or bulzeon," (for ſo they called ſilver well refined, and reduced to an exact fineneſs) "of that fineneſs, 8 grotes, "and of the ſamen matter and wecht as effeirs, "half-grot, pennie, half-pennie, farding; the "grot for eight pennies, the half-grot for four "pennies, the penny for two pennies, and the "half-penny for one penny, and the farding "for a half-penny." This was in the year 1451, the 14th year of his reign; but in the year 1455, the value of that new groat was heightened to 12 pennies, and in the like proportion in leſſer coins.

In the firſt year of James III. that is, in 1460, theſe copper coins, and not long after that, the black money, which we before mentioned, which was moſt partly baſe metal, were ordained to be coined; by which a handle was given to wicked ſubjects, to riſe in rebellion againſt a king, who did not

deſerve it. In his third parliament, in the year 1467, the Scottiſh groat, which they named the crown, was ordained to have courſe for 14 pennies; and the coinage of black money was prohibited, under pain of death. In the next parliament, in the ſame year, and within a few months, a parliament being held, the groat of the crown was cried down to 12 pennies. In the ſixth parliament, in the year 1471, the new groat, of a baſe mixture, is ordained to paſs for ſix pennies, the half-groat for three pennies. In the eight parliament, in the year 1475, twelve groats, from one ounce of refined ſilver, of the ſame allay with the Engliſh groat, and the pennies and half-pennies of like fineneſs, theſe of the value of three-pennie-pieces, the other of one and a half-penny, are ordained to be coined. In the 13th parliament of this king, 1483 or 1485, it was ſtatuted, That a ſilver coin, equaling the tenth part of an ounce, and in fineneſs, the old Engliſh groat, alſo half-groats ſhould be coined, and of the ſame materials; the one of which ſhould be current for fourteen, the other for ſeven pennies. At the ſame time, it was ordained, that gold money ſhould be ſtruck, correſponding in weight and fineneſs with the Engliſh piece of money called the *roſe-noble*; and that gold coin ſhould be in value thirty groats. Laſtly, In the ſaid parliament, all the four-penny-pieces, vulgarly called *placks*, whether ſtruck by the king's coiners, or by others, ſhould be called in to be recoined; and two for one, of good coin, are ordained to be told out by the maſters of the coin, within a certain time.

About the beginning of James IV.'s reign, the ſame weight and value of the Scottiſh money ſtill continued, as in the laſt years of his father's reign;

for,

for, in the firſt year of James IV. 1488, it was ſtatuted, That ten groats ſhould be coined out of one ounce of ſilver, equal to the old Engliſh groats; and each of them ſhould be current for fourteen pennies; likewiſe a piece of money of gold, equal in purity and weight to the *roſe-noble*, which ſhould be equal in value to thirty groats; and the like rule was preſcribed the next year, concerning coining other groats. In the fourth parliament of this king, *anno* 1493, it was ſtatuted, That none ſhould preſume to refuſe the king's coin, though ſtruck by different coiners, becauſe cracked, providing it was of proper fineneſs, under the penalty of the forfeiture of the merchandiſe or money refuſed in payment. In the year 1503, a marriage was entered into, betwixt James IV. and Margaret, daughter of Henry VII. of England; from the contract of marriage it appears, that three Scottiſh pounds was equal in value to one Engliſh pound; for in this contract, which mentions the dowry agreed to be paid by James IV. it is ſaid, in expreſs words, that "L. 2000 ſterling "did make L. 6000 Scots, now current in Scot"land." By this method of reckoning, the extrinſic value of the Scottiſh money, muſt neceſſarily have been a little diminiſhed, below what it was ſome years before.

In the time of James V. we find, that there was a change made in the regulations of the coins by public authority. The celebrated lawyer, Sir Thomas Craig, in his treatiſe concerning the union, ſays, "He had been informed by Mr "Henry Balnaves, that, during almoſt the whole "reign of James V. the Engliſh penny was e"ſteemed in value, only three Scottiſh pennies;" which eaſily might happen, becauſe it had recei-

ved a mixture of a baſer metal, by which Henry VIII. did debaſe his coin. Sir James Balfour, whom we have often cited above, writes, That during the reign of James V. the groats, called *Douglaſſians*, were introduced, of value 10 pennies; and alſo, the *babees*, worth three pennies. About the time of the death of that prince, the ſame gentleman tells us, that the ounce of ſilver was eſteemed worth 19 ſhillings 9 pennies, but the gold L. 12 in value. But what furniſhes to us a very clear, and much more certain proof of the value of money in thoſe days, is the contract betwixt Gavin Dunbar, biſhop of Aberdeen, and William Sutherland of Duffus, 5th Auguſt 1529, that is, in the 16th year of James V. to which, among others, this remarkable condition is added: *Providing, moreover, that, if it ſhall happen, the money of Scotland, or of any other kingdom, that paſſes in Scotland, to be raiſed to a higher price than it is now taken in payment for; by which, the reverend father, his heirs or aſſignees whatever, be made poorer, or in a worſe condition; and I bind,* (ſays William Sutherland) *me, and my foreſaid lands of Queralwod, and Lidge, to pay to the poſſeſſors, whoever they be, of the ſaid annual-rent, for every merk and 32 pennies, one ounce of pure ſilver, which ſhall be at leaſt* alewyne penny fine, (*that is, eleven pence fine,*) *or elſe its true value in the uſual money of the kingdom of Scotland.*" From which words, it is moſt perſpicuous, that the ounce of the beſt ſilver did weigh 16 ſhillings. But, in the remaining thirteen years of that king's reign, it is probable, that no addition was made to the value of the Scottiſh money; for Gavin Dunbar ſeems to declare, by the addition of this caveat, that ſuch a thing would happen; and what happened

happened afterwards in our affairs relating to money, ſhows, that his opinion was not ill founded.

For, in the ſecond year of the reign of queen Mary, that is, 1544, one Engliſh pound made four Scottiſh pounds. This is plainly aſcertained by the mutual indenture, betwixt Henry VIII. king of England, and Matthew, earl of Lennox, made 26th June that year; in which, that king promiſes in marriage to the ſaid earl, lady Margaret Douglaſs, his ſiſter's daughter, by the ſecond marriage of that ſiſter with the earl of Angus; and promiſes to give her in name of portion, lands and eſtates, to the value of 6800 merks Scots, which ſum is mentioned, in expreſs words, to amount to 1700 merks ſterling. In a few years thereafter, there was no increaſe of value in the Scottiſh money; for, on the 16th March, 1555, according to the Roman computation, 1556, it was ordered by an act of privy council, That out of the ounce of gold, four gold pieces of money ſhould be coined, each of them to be of value *three pounds Scots*; ſo that, if the ſame proportion was obſerved betwixt the prices of gold and ſilver, as in James IV.'s time, it behoved to be, that the pieces of money coined out of one pound of ſilver, at that time, muſt have been almoſt exactly equal in value to thirteen numeral pounds. But ſince, about the ſame time, ſixty ſhillings or three pounds, was coined in England out of the pound of ſilver, and which rule is followed to this day, by this means, a little more than four pounds Scots, was required to make up *one pound* Engliſh.

It is wonderful, however, how much the value of money increaſed among us by different augmentations, and with how quick a pace; for, about the year 1560, one Engliſh pound ſeems to have

have equalled in value five Scottiſh pounds; becauſe, not long after, that is, 22d December, 1565, it was ordained by an act of privy council, that the ſilver piece of money, above-mentioned, of the largeſt ſize, *viz.* a crown, which was in weight, one ounce Troy, and eleven penny-weight of fineneſs, ſhould be current for thirty ſhillings; and alſo two other coins, one ſhould paſs for twenty, the other for ten ſhillings, of the ſame fineneſs and proportion of allay. The lovers of coins have preſerved a good many of theſe in their collections; but, from this deſcription of them, it clearly appears, that the Scottiſh money, compared with the Engliſh, bore the proportion of ſix to one: for, at that time, the ounce of ſilver was valued at five ſhillings in England. Moreover, the coins ſtruck in the beginning of James VI.'s reign, that is 1567, and four following years, do ſhow this, which were alſo of one ounce weight; on all of which, the number XXX is ſtamped, denoting, that they were as many ſhilling in value. In the firſt of theſe, coined in the year 1567, the wonted fineneſs of eleven penny-weight is retained, and likely in the reſt of the coins of that kind. In the year 1561, it was ordained by the earl of Lennox, then regent, and the lords of the ſecret council, that two ſilver pieces ſhould be ſtruck, the allay whereof ſhould only be nine penny-weight, that is, they ſhould have a fourth part of copper mixed therewith; that the weight of the one ſhould be eleven penny weight twelve grains Troy, to be called *merks*; the other, one half of that weight, and to be called *half a merk*: and, laſtly, that on the foreſide of both ſhould be inſcribed JACOBUS VI. DEI GATIA. REX SCOTORUM; on the reverſe, a thiſtle crowned, with the addition of this motto, NEMO IMPUNE

IMPUNE LAEDET, 1571; and on the ſides of the thiſtle, of the one XIII. 4, of the other VI. 8. But the diſturbed ſituation of affairs among us, and the ſlaughter of the regent, which happened not long after, ſeems to have ſtopped that kind of money, there being no Scottiſh money that I know of, extant with that inſcription of *nemo impune laedet*. But, indeed, the inſcription of *nemo me impune laceſſet*, which is more ingenious and more to the purpoſe, is not to be ſeen on our coins till 1678. However, from the deſcription of theſe coins, it is clear, that the regent, and others at the helm of affairs under James VI. did ordain, that the extrinſic value of money to be coined out of one pound weight, ſhould exceed what it weighed in the year 1557, by *L.* 1, 19*s.* 4*d.* 1*f.* computed money.

From the contract betwixt James earl of Morton, then regent, and John Atchiſon the maſter of the mint, and Abraham Paterſon a Flemiſh coiner, 5th March, 1566, according to the Roman computation 1567, we find, that our ſilver money was reduced to the regulation of eight pennyweight, that is, debaſed with a mixture of a third part of baſe metal; for the parties contractors make bargain that this was to be done. It is not mentioned in the contract, what kind of money, nor of what value it was to be of: but, if as many merks, ſhillings, and pennies, were to be coined out of one pound of ſilver, mixed with ſo great an allay of baſe metal, as was propoſed to be done by that former act of council, of the regent Lennox; of conſequence, the value of our money muſt have been raiſed yet further one eight part of a merk, ſhilling or penny. What makes me rather believe this, is the avaricious diſpoſition of Morton,

ton, who was more attentive to his own private affairs than to the good of the public. But what puts the matter almoſt beyond doubt, is the law paſſed in parliament, 25th July, 1569, by which the money is recalled to the fineneſs of twelve penny-weight; and authority was committed to perſons appointed for that purpoſe, that they ſhould enter into meaſures, that the exportation of the thirty, twenty, and ten ſhilling pieces, and likewiſe of the *teſtoons*, out of the kingdom, might be diſcharged. And the thing appears ſtill more clear, from another law, publiſhed a little after, *viz.* 24th October, 1581, by which, after mentioning, "*That the lait ſilver coin had been the occaſion of great dearth, and of many other inconveniencies, ariſing from the heightning the price thereof higher than it ought. It is ſtatuted, that the lait cunzie* (no doubt theſe coined by Morton's order) *extending to* 211 *ſtane, and ten pounds, ſhall be reduced, and brought in again to the mint, to be cuinzied a-new in ten ſhilling pieces, of eleven pennie fine, containing each four in the ounce: and alluence is granted to the maſter coiner, to break down the preſent current money within the realm, of eleven pennie fine, eſpecially the thirty, twenty, and ten ſhilling pieces, and teſtoons, and to coin the ſame in the ſaid new money deviſed at fourty ſhillings the ounce, of eleven pennie fine.*" There are engravings of all theſe in Mr Anderſon's diplomata Scotiæ, and alſo of thoſe which were ſtruck the year following, 1582, marked each of them, according to the ſtated price of each, with the numbers XL. XXX. XX. X. From this alſo, it is manifeſt, that L. 24 computed pounds Scots, was made out of one real pound weight,

and,

and, that it required eight of theſe to make one Engliſh pound.

In the mean time, the value of money increaſed more and more among us, notwithſtanding of the various laws made to put a ſtop to it; ſo that the three eſtates of the kingdom, not willingly indeed, but in order to put ſome ſtop, if poſſible, to the evil which daily increaſed, were compelled to heighten its value ſtill more, or rather truly, to reduce the price of ſilver money, coined out of one ounce, within the value of 50 ſhillings, and that of Gold within 30 pounds, by an act made in 1597. By this method, matters were brought to this, that one Engliſh piece of money came to equal ten of the ſame denomination in Scotland. But when, neither by this, nor by the former laws, the pernicious inclination of increaſing the value could be repreſſed or reſtrained, at length, in order, at leaſt, to put off a little the pernicious conſequences ariſing therefrom, the king and parliament reſolved, that all the money, both gold and ſilver, either coined abroad or at home, ſhould be brought to the mint to be recoined into other money of different ſorts; which the act of ſecret council, dated 1ſt December 1601, ſhows to have been done, by a law in September that ſame year; in which, among many other things relative to this, it is ordained, among the reſt, that the gold money ſhould be of 22 carrats fineneſs, the ſilver of 11 penny-weights, allowing to the coiners ſome grains above or below that fineneſs; and, that the value of the money made from one ounce of ſuch metal, if ſilver, ſhould be eſtimated at L. 3 Scots, but if gold, at L. 36 Scots. From this act of council, we certainly know, that the Engliſh money was twelve

times the value of the Scottiſh money, and that the ſame proportion of both the gold and ſilver was ſettled at that rate.

And here, at laſt, a boundary was fixed to prevent the increaſe of the value of the Scottiſh coin, which never could formerly be reſtrained within bounds, and which rule is ſtill obſerved; and, unleſs James VI. who the year after ſucceeded to the crown of England, had ordered, that henceforth the Scottiſh money ſhould be made conform to that of England, which ſince that time has remained almoſt unalterable, there is no doubt, but that the extrinſic value of our money would have gone on to have been augmented, from time to time, as formerly.

LX.

Though it may ſeem ſomewhat foreign to my purpoſe to enquire, in this place, into the cauſe from whence ſo many alterations have happened in the value of our money; yet, as I underſtand it will be acceptable to a few, to whom this matter is leſs known, my other readers will pardon me, if, in compliment to the former, I explain my opinion upon this matter. The cauſes of the increaſe of the value of money, not only in Scotland, but among moſt other nations, were principally the following:

Firſt, It took its riſe from the neceſſities and poverty of princes; who being miſled by the miſtaken opinion, that they could ſupply their treaſury by this method, ordered money to be coined, adulterated with too great a mixture of baſer metal, to paſs for the ſame value as good money. But as princes were not able, by the moſt ſevere prohibitions whatever, to bring about, that their ſubjects ſhould eſteem good and bad money to be

of

of equal value, or prevail on them to change the intrinſic value of money eſtabliſhed by the laws of nations; ſo, in a ſhort time, it happened, when they durſt not venture to diminiſh, by laws, the value of the baſe money, they increaſed the value of the good money, as much as the good money exceeded the bad in intrinſic value.

To this cauſe is to be attributed, that the money coined by foreigners, which being for moſt part below the purity preſcribed by law, if it be allowed to become current, raiſes the value of good coin.

The ſecond cauſe of increaſing the value of money proceeds from this, that in fixing the value of money, coined of different metals, the juſt proportion that theſe metals have to one another, among other neighbouring nations, has not been obſerved; for, by this means, if, for example, gold, when compared with ſilver, was eſtimated at a higher value than among our neighbours of England or France, of conſequence, an exportation of ſilver coin neceſſarily followed; which nothing could ſtop, but by diminiſhing the price of money at home; or, (which happened more frequently) by increaſing the price of the ſilver: and the gold would have had the ſame fate, if the price of ſilver was extended beyond a juſt proportion. But nothing had a greater influence in increaſing the price of gold and ſilver among us, than by eſtimating the value of baſe coins beyond the intrinſic value, or by too great a quantity of them being coined. For, ſince almoſt every where, copper is of mean value, and ſmall eſtimation, in compariſon of gold or ſilver, it muſt happen, that if money, made of ſuch baſe materials, of a leſs weight than it ought, and coined in greater quantity than things demanded; I ſay, it

muſt have followed, that the value of coins of more precious metals muſt have been raiſed.

Thirdly, What increaſed the value of current coin with us, was the importation of foreign coins of all kinds; for, as the people could not ſettle the true value of the various ſorts of coins by an accurate examination, but were obliged to eſtimate the price of it from its ſize, or from the value it bore in currency, it neceſſarily happened, that the comparative value of our own coin muſt have varied, and either ſometimes be kept under its true value, or ſometimes, (which happens more frequently) muſt have been raiſed above that value.

From this aroſe another cauſe of advancing the price of money, *viz.* that our people, in order to draw greater plenty of coined money from foreign countries, of which they were in ſcarcity at home, by a very imprudent reſolution, augmented the value of ſuch foreign money beyond its adequate value; not adverting, that by this very method, their own of Scotland, being thus leſſened in its value, would be exported to other nations. Two acts of parliament of James III. afford us proofs of this, the one made *anno* 1467, the other in 1475; by which, becauſe of the ſcarcity of money in Scotland, (ariſing from the exportation thereof to other countries, being of lower value at home than abroad,) fixed values were put on the ſeveral kinds of money, enumerated in theſe acts, and which values, were much higher than what they formerly bore.

The fifth cauſe of heightening the price of money, aroſe from the pernicious cuſtom of clipping the edges of the coin; which, altho' almoſt in every age, had done no ſmall damage in money matters,

matters, and conſequently, to trade; yet, this evil never prevailed ſo much as in our memory, and that of the preceding generation; by which, almoſt all the coins, unleſs what the invention of the mill and preſs preſerved from that injury, were ſo clipped, that often one third of the true weight, ſometimes even only one half, was left. But how much this very baſe cheat contributed to raiſe the value, not only of coined money, but alſo the price of gold and ſilver bullion, the thing itſelf demonſtrates; for, not long ago, in the reign of William prince of Orange, matters were brought to that pitch, by this wicked practice of clipping the coin, and other contrivances, ſo that not only the gold coins called *guineas*, which were firſt ſtruck to paſs for twenty ſhillings Engliſh, roſe to thirty ſhillings; but the ounce of ſilver bullion, which before weighed five ſhillings and two pence, as it does now, was raiſed to the price of ſix ſhillings and five pence ſterling. Neither had a ſtop been put to this deſtructive growing evil, had it not been enacted by a very ſevere, though a very neceſſary law, and that too, paſſed during the time of a deſtructive war, "That all "the ſilver money, except what was ſtamped by "the mill and preſs, ſhould be called in to the "mint to be recoined."

What, in the laſt place, may be reckoned among the cauſes of raiſing the value of money, is, what we commonly call the balance of trade; that is, as Civilians define it, the ſettling the account or balance of caſh, ariſing from the mutual dealings betwixt nations; for, if any nation has its accounts ſo ſettled, that the money brought into it, by commerce from foreign nations, exceeds or equals, what is exported from it, it is eaſy for that nation to prevent, unleſs ſome o-

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ther cauſe intervene, the immoderate increaſe of the value of money, or that it ſhould not occaſion much damage; but, if any nation ſhould be ſo misfortunate, that the money exported, ſhould exceed the quantity which is imported, it muſt happen, that the money becoming ſcarcer and ſcarcer, muſt alſo riſe more and more in its value in that nation.

And theſe are the principal, if not all the cauſes of the increaſe of the value of money among us; and theſe, as I have ſaid, are by no means peculiar to the Scots, but almoſt common to every nation who have made uſe of money; which, if I had time, would be eaſy to demonſtrate for the moſt part was the caſe. But, among the Engliſh, the greateſt aſſiduity and attention, in regulating the affairs of money, by the prohibiting the currency of foreign coin among them, has brought it about, that their money has been leſs increaſed in value, than among other nations; for, from the days of William the conqueror, to this time, the value of money in England has only been tripled, or, perhaps, a little more; for anciently, there was twenty ſhillings coined out of the real pound weight, whereas now, there is only ſixty-two ſhillings. But, the fate of money has been quite different among the French, although abounding in riches; for, twenty ſhillings, which, from the time of Charles the Great, to the time of Philip I. as le Blanc relates, equalled, almoſt, a real pound weight, or twelve ounces; at the time he wrote, which was in the year 1690, it weighed no more than ſeven deniers three grains; ſo that the modern *ſols*, is forty times the old French ſols; and now, the value of French money having been often increaſed, the

numeral

numeral French pound, ſcarcely retains one ſixtieth part of the pound in the time of Charles the Great. And, if we paſs to the other nations of Europe, the Germans, Dutch, Italians, *&c.* we will find, if not an equal, ſurely, at leaſt, a no leſs increaſe of the value of money among them, at different periods. But, to return to the Scottiſh money; from what has been ſaid, it appears, that the extrinſic value has riſen thirty-ſix times above the value it was in David I.'s time.

LXI.

Before I diſmiſs this part, there is one article deſerves greatly our animadverſion; to wit, that remarkable loſs which has happened, not only to the fortunes of private perſons, but alſo to the revenues and patrimonies of princes, from the frequent increaſe of the value of money. But this happened, principally and neceſſarily, in theſe ſpecific payments, covenanted to be made for a perpetuity, or for a long time, by charter, or by any agreement of a certain preciſe ſum. For, as in deeds of this kind, either ſo many pounds, ſhillings, or pennies were to be paid; or, which very rarely uſed to be done, the words *good* and *lawful* money of this or that kingdom, were added; it muſt have happened, that when the value of money increaſed, there muſt have been a deficiency in the ſum, of ſo many pounds, ſhillings, and pence, as were bargained for at that time, in proportion as theſe firſt pounds exceeded in weight theſe laſt, although the number and denomination of them were the ſame; neither did the addition of the word *ſterling*, which we frequently find in more ancient charters and contracts, help the matter

one

one bit; for, although this word ſeems to have been at firſt taken to denote the weight, as well as the fineneſs of the money; yet it happened, much more frequently, that it ſignified no more, as is obſerved before, than the *goodneſs* of the coin to be paid. From this increaſe of the value of money, contrary to the intention, or even the expectation of parties, many law ſuits and diſputes have ariſen from the loſs accruing therefrom, which have afforded a rich field to lawyers for pleading, as well as writing on the ſubject. In order to avoid theſe, as much as poſſible, various laws were made, and various conditions were inſert in the deeds themſelves; among the firſt, this one, by which it was provided, that if the extrinſic value of money ſhould happen to be increaſed, as much coin ſhould be weighed out as would make up the ſum, anſwering to the current coin in that kingdom, at the time of writing the deed. Sometimes, as in the above-mentioned agreement betwixt Gavin Dunbar and William Sutherland, the fineneſs and weight of the money to be paid for each pound or merk, is expreſsly defined. But by far the greateſt part, neglecting this caution in ſecuring their bargains, incautiouſly ſubjected themſelves to the loſſes ariſing from the change of the value of money; the high or low prices of things, as they appeared at the time, having deceived them: for one perſon, when a determined number of bolls of victual was to be paid out of a certain eſtate, granted in feu, or ſet in tack for a long time; if a dearth of victual followed, ſo that the boll of wheat did riſe, for example, to half a merk, which was an exorbitant price in the time of our James I. judging of futurity, from

from the preſent ſtate of things, thought it would be profitable, if he could perſuade the feuer, or tackſman, to convert the corn into money, and to pay half a merk for each boll; another perſon, on the contrary, who poſſeſſed ground for a certain yearly ſum of money, thought he conſulted his intereſt well, when the ſcarcity of corn was very great, if he could perſuade his landlord to agree, to receive for the future, in place of the money, in uſe to be paid, as much victual as would produce the like ſum, if the victual was ſold at the then market price. I have often heard of theſe and the like bargains among our anceſtors; but how much their hopes deceived the bargain-makers, and how detrimental ſuch tranſactions have been to their ſucceſſors, is ſufficiently demonſtrated, from the frequent increaſe of the value of money above related.

None have ſuffered greater loſs from the endleſs increaſe of the value of money, than the governors and great men of the nation; nor can it be expreſſed, how much their revenues have been diminiſhed by this means alone; among innumerable others which might be adduced, I may be permitted to mention one. About the time of our king Alexander III. or thereby, William de Maul, baron of Panmore, was bound to pay for the relief or entry of an heir, L. 122. 10 s. to the king, his ſuperior; of that ſum, Edward I. king of England, who aſſumed to himſelf the right of ſuperior lord of the kingdom of Scotland, gifted or remitted L. 82 to William baron of Panmore; and ordered the remaining L. 40 to be paid to himſelf, by the hand of the chamberlain of Scotland, at three following terms. We have, as an evidence of this affair,

the king's precept, directed to Alan de Dumfres, whom he had appointed his chancellor, which the author (Mr Ruddiman) has publiſhed, engraved from the original, preſerved in the tower of London. But, I have it confirmed from the teſtimony of the honourable Mr John Maul, advocate, brother to the Earl of Panmore, That the heirs of this moſt ancient family, from that day to this, are in uſe to pay no more than L. 40 for their relief, however much the intrinſic value of the pound be diminiſhed: by this means, theſe forty pounds, laying aſide the reſt of the ſum remitted by Edward I. when brought to the foregoing calculations, would be equal to thirty-ſix times forty pounds Scots, that is, L. 1440 Scots, or L. 120 Engliſh at this day, of intrinſic value. And, ſince the royal property, has ſuſtained ſo much loſs from the increaſe of the extrinſic value of our money in this one inſtance, how great muſt we eſteem the loſs to be, in an infinity of other articles of a ſimiliar kind, ariſing from the ſame cauſe.

Theſe, and the like inconveniencies, ariſing from the increaſe of the value of money, ſeem deſervedly to have happened to theſe kings, who, by debaſing their money, increaſed its value; and, by that means, did not enrich their treaſury, as they propoſed, but greatly impoveriſhed it. Princes more prudent, and knowing in the affair, as alſo the nobles of the kingdom, on whom no ſmall part of the evil did fall, ſtruggled hard, with all their might, to withſtand the daily riſe in the value of money; but the remedies which were applied to this diſeaſe, as they did not penetrate to the fountain-head, and to the origin of the evil, were moſt partly fruitleſs and to no purpoſe.

Having

LXII.

Having thus explained the ſtate and value of the money in Scotland, through various centuries, ſo far as could be got by ſearching into the ſtatutes, and other public and private documents; that every thing may be underſtood the more eaſily and diſtinctly, I have thought proper to ſubjoin two tables; in one of which, the purity or fineneſs, mixture, and value of our gold coin; in the other, that of the ſilver coin, at different periods; and, in the firſt table, the proportion betwixt the gold and ſilver are expoſed to view, ſo that each of theſe can be known by a caſt of the eye.

TABLE I.

In which is ſhown, how many numeral pounds, one pound weight of gold; alſo, their intrinſic value to the ſilver.

Anno Domini.	*Anno regni.*		*Fineneſs.* oz.	pw.	gr.
1371 &c.	Robert II.	—	11	18	18
1390 &c.	Robert III.	—	11	18	18
1424	James I.	19	11	18	18
1451	James II.	15	11	18	18
1456	———	20	11	18	18
1475	James III.	16	11	18	18
1484	———	24	11	18	18
1488	James IV.	1	11	18	18
1529	James V.	16	11	18	18
1556	Mary	14	11	0	0
1577	James VI.	10	11	0	0
1579	———	13	10	0	0
1597	———	31	11	0	0
1601	———	35	11	0	0
1633	Charles I.	9	11	0	0
1738	George II.	12	11	0	0

TABLE I.

ſhillings, and pennies Scots, were coined out of ſic fineneſs, and the proportion that the gold bore

Allay.			*Value of the coin, coined out of one pound of gold.*			*Pound of pure gold, weighed of pure ſilver.*			
oz.	*pw.*	*gr.*	*L.*	*s.*	*d.*	*lib.*	*oz.*	*pw.*	*gr.*
0	1	6	17	12	0	11	1	17	22
0	1	6	19	4	0	11	1	17	22
0	1	6	22	10	0	11	1	17	22
0	1	6	33	6	8	9	8	4	14
0	1	6	50	0	0	9	8	4	14
0	1	6	78	15	0	10	2	0	20
0	1	6	78	15	0	10	5	7	9
0	1	6	78	15	0	10	5	7	9
0	1	6	108	0	0	10	5	7	9
1	0	0	144	0	0	10	5	8	6
1	0	0	240	0	0	10	5	8	6
1	10	0	240	0	0	11	5	2	20
1	0	0	360	0	0	12	0	0	0
1	0	0	432	0	0	12	0	0	0
1	0	0	492	0	0	13	2	7	11
1	0	0	560	14	0	15	2	10	7

TABLE II.

In which may be clearly seen, how many numeral coined out of one real pound weight of silver, at ney, or the different degrees of fineness in it,

Anno Dom.	*Year of the reign.*		*Purity.*		
			oz.	*pw.*	*gr.*
From 1107	Alexander I. David I. William				
To	Alexander II. Alexander III.		11	2	0
The 1296	John Baliol.				
From 1306 To 1329	Robert I.		11	2	0
1366	David II.	38	11	2	0
1367	———	39	11	2	0
From 1371 To 1390	Robert II.		11	2	0
1393	Robert III.	4	11	2	0
1424	James I.	19	11	2	0
1451	James II.	15	11	2	0
1456	———	20	11	2	0
1475	James III.	16	11	2	0
1484	———	24	11	2	0
1488	James IV.	1	11	2	0
1489	———	2			
1529	James V.	16	11	0	0

TABLE II.

pounds, ſhillings, and pennies Scots, have been different times; likewiſe, the ſtandard of ſuch money under the reigns of different kings.

Allay.			*Value of the money coined out of a pound weight of ſilver.*		
oz.	*pw.*	*gr.*	*L.*	*s.*	*d.*
0	18	0	1	0	0
0	18	0	1	1	0
0	18	0	1	5	0
0	18	0	1	9	4
0	18	0	1	9	4
0	18	0	1	12	0
0	18	0	1	17	6
0	18	0	3	4	0
0	18	0	4	16	0
0	18	0	7	4	0
0	18	0	7	0	0
0	18	0	7	0	0
1	0	0	9	12	0

TABLE II. continued.

Anno Dom.	*Year of the reign.*		*Purity.* oz.	pw.	gr.
1544	Mary	3	11	0	0
1556	———	14	11	0	0
1565	———	23	11	0	0
1567	James VI.	1	11	0	0
1571	———	5	9	0	0
1576	———	10	8	0	0
1579	———	13	11	0	0
1581	———	15	11	0	0
1597	———	31	11	0	0
1601	———	35	11	0	0
1738	George II.	12	11	2	0

LXIII.

From what has been ſaid, and more eſpecially from theſe two tables, it may be eaſily underſtood, how much, not only the unlearned vulgar, but even learned and ſenſible men have blundered ſo egregiouſly in computing the proportional value of our ancient money; who, when they found it mentioned in old writings, or heard by report, that, for example, a boll of wheat was valued at ten, twelve, fourteen, *&c.* pennies *per* boll, a flagon of wine at two pennies, a hen at one half-penny; immediately think, that the intrinſic value of theſe denominations of money, was the ſame as now-a-days: alas! cry they, what a great ſcarcity of money muſt have been among us in thoſe days, when things, ſo dear now, might have been bought for ſo ſmall a price. But, from what has been above ſet forth, it is clear, that things were

TABLE II. continued.

Allay.			*Value, &c.*		
oz.	*pw.*	*gr.*	*L.*	*s.*	*d.*
1	0	0	9	12	0
1	0	0	13	0	0
1	0	0	18	0	0
1	0	0	18	0	0
3	0	0	16	14	0
4	0	0	16	14	0
1	0	0	22	0	0
1	0	0	24	0	0
1	0	0	30	0	0
1	0	0	36	0	0
0	18	0	37	4	0

were quite otherwiſe; and, particularly, that the penny, the ſhilling, and the pound, in the time of David I. and for a long time thereafter, was thirty-ſix times, in James I.'s time, eighteen times, in James II.'s time, nine times, in queen Mary's time, double the value almoſt, that the ſame denominations are of intrinſic value at this day, or did exceed in that proportion the weight of bullion. And, that this whole affair may be more manifeſt, I thought it would not be improper to lay before the reader's view, the proportion betwixt our ancient money, and the money current among us at this day, (1738) from ſome examples, drawn from our ancient laws and other monuments.

TABLE III.

In which, the ancient prices of ſome things are reduced to their value in our modern money.

Prices of things.	*In ancient Scottiſh money.*			*In preſent Scot. mo.*		
	lib.	*ſh.*	*d.*	*L.*	*s.*	*d.*
Of a boll of wheat, in David I.'s time, *A. D.* 1124, *&c.*	—	—	10	1	10	—
Of the ſame.	—	1	—	1	16	—
Of the ſame. (*t*)	—	2	—	3	12	—
Of a gallon of wine. (*u*)	—	—	2	—	6	—
Of two ditto of ale. (*x*)	—	—	1	—	3	—
Of two ſheep. (*y*)	—	1	4	2	8	—
Of a young cow or heifer. (*z*)	—	3	—	5	8	—
Of a cow. (*a*)	—	6	0	10	16	—
Of a hen, (*b*) in the time of John Baliol, 1292.	—	—	$\frac{1}{2}$	—	1	6
Of one gallon and a half of ale. (*c*)	—	—	1	—	3	—
Of a boll of wheat, (*d*) in the time of James I. 1424.	—	2	—	1	18	—
Of a boll of rye, barley, and peaſe.	—	1	4	1	5	4
——— of oats	—	—	6	—	9	6
Of an ox.	—	6	8	6	6	8

Of a horſe.	—	13	4	12	13	4
Of a wedder, (*e*) in the time of James IV. 1489.	—	3	—	—	15	10
Of a fed ox.	—	15	—	3	19	3
Of a hundred ſalted keelings.	3	—	—	15	17	1
Of a hundred haddocks and ſpeldings.	—	1	4	—	7	—
Of a pint of vinegar.	—	—	8	—	3	6
Of a pint of honey.	—	1	6	—	7	11
Two dozen of ſwine.	10	—	—	52	17	1
One boll of meal and barley promiſcuouſly, (*f*) in the time of James V. 1523.	—	13	4	2	11	4
Of a hen.	—	—	4	—	1	3
The ſalary of the fifteen ſenators of the college of juſtice, appointed by James V. when he firſt inſtituted that court, 1532.	1400	—	—	5395	16	6
A pint of Bourdeaux wine, (*h*) imported by the eaſt and north ſeas. (*i*)	—	—	10	—	2	6
Ditto Rochelle, imported by the ſaid ſeas.	—	—	8	—	2	—
Ditto Bourdeaux, imported by the weſt ſea.	—	—	8	—	2	—
Ditto Rochelle wine, imported by the ſame ſea.	—	—	6	—	1	6
A tame gooſe.	—	1	4	—	4	—

TABLE III. continued.	lib.	ſh.	d.	L.	s.	d.
Of a wild gooſe.	—	2	—	—	6	—
Of a heron and of a ſwan.	—	5	—	—	15	—
A black cock. (*k*.)	—	—	6	—	1	6
A woodcock.	—	—	4	—	1	—
A quail.	—	—	2	—	—	6
A capon	—	1	—	—	3	—
A hen.	—	—	8	—	2	—
A chicken.	—	—	4	—	1	—
A pig or young ſow.	—	1	6	—	4	6

From

From theſe few examples, picked out of a great number, it is eaſy to determine the price of any other thing, having regard to the period, and the riſe in the value of money, and by the help of theſe tables to reduce the price of it to our preſent money. From thence, alſo, we may be allowed to add, that it is plain, that one thing told by Hector Boece, is not only falſe, but alſo incredible, That William king of Scots, when captive in England, agreed to pay to Henry II. *one hundred thouſand pounds ſterling*; one part of which (which biſhop Nicolſon explains to be the half,) he immediately proferred payment of, and pledged Cumberland, Huntingtown, and Northumberland, for the remainder: for, in the firſt place, it appears from our more ancient authors, as well as from all the Engliſh hiſtorians, and more certainly from the treaty itſelf, that the only condition granted to king William for obtaining his liberty was, that he and his nobility, of the kingdom of Scotland, ſhould ſubject themſelves to the perpetual vaſſalage of the Engliſh king, by firſt delivering up hoſtages, and then five of the principal forts in Scotland, for more ſecurity for performance of the promiſe made. But, moreover, dropping theſe things, who (to be ſilent on the injuſtice of the Engliſh) can think, that our king William would be ſo fooliſh, as to bind himſelf to pay to the king of England ſo great a ſum of money, which at this day would exceed three hundred thouſand pounds ſterling; for, I am perſuaded, had all the money then in Scotland, been ſcraped together, it would ſcarcely have made out a third part of that ſum. It is true, indeed, William performed a great thing, who, according to the relation of the hiſtorians of both

kingdoms

kingdoms, in order that he might redeem himſelf and his ſubjects, and reſtore them to their ancient ſtate of freedom, told down to Richard I. ſon of that Henry, ten thouſand merks of ſilver; which, in our preſent money at this day, would amount to twenty thouſand pounds ſterling.

From the foregoing tables, we may likewiſe judge, how grievous a famine, happened in Scotland, during the reign of James I. in the year 1435; ſince, as the Continuator of Fordun tells us, a boll of corn was ſold for eighteen ſhillings Scots; and again, a more grievous one, in the beginning of James II.'s reign, in the 1438, and the following year, when, as the ſame author relates, the boll of corn got up to thirty ſhillings; for, by this means, the price of the former boll, being reduced to the value of our preſent money, muſt have been, L.10, 16 s. Scots, the latter, L. 18 Scots.

LXIV.

I have thought proper to ſubjoin here, in the concluſion, a remark or note which I received from Mr David Drummond, advocate, a gentleman of primitive virtue, and ſingular probity, treaſurer for many years in the bank of Scotland; which was this, That, at the union, 1707, the laſt thing which remained to be executed, was, that all the coin, throughout Great Britain, ſhould be brought under the ſame regulation, and be made of the ſame fineneſs and value with that of England; and, for which purpoſe, an act of the privy council of Scotland was made, whereby it was ordained, That all the ſilver coin, at that time, current in Scotland, as well foreign as domeſtic, except the late Engliſh coin, ſhould be brought into that bank,

bank, and be carried from thence to the mint, to be recoined into new money.

That worthy gentleman, who had a chief hand in this buſineſs, for his own pleaſure, recorded in his memorandums, the ſum totals of that whole money, reduced to ſome general heads; theſe, he communicated to me, which I now lay before the reader, becauſe they will in no ſmall degree, illuſtrate the ſtate of our money, and alſo, may furniſh ſome proofs of the quantity of the current coin in Scotland, at that period.

There was brought into the bank of Scotland, in the year 1707.

	Value in ſterling money. L.	s.	d.
Of foreign ſilver money,	132080	17	00
Milled Scottiſh coins,	96856	13	00
Coins ſtruck by hammer,	142180	00	00
Engliſh milled coin,	40000	00	00
Sum total of all theſe,	L. 411117	10	09

And this ſum, no doubt, made up by far the greateſt part of the ſilver coined money current in Scotland at that time; but, it was not to be expected, that the whole money of that kind, could be brought into the bank; for, the folly of a few miſers, or the fear that people might have of loſing their money, or various other dangers and accidents, prevented very many of the old Scots coins from being brought in; a great part of theſe, the goldſmiths, in after times, conſumed by melting them down; ſome of them have been exported to

to foreign countries; a few are yet in private hands. No certain rule can be found, whereby to determine the precise quantity of gold coins in Scotland at that time; however, there are a few which seem to convince us, that there was as great plenty of that, as of the silver, (balancing the price of each). What principally makes for this opinion, is a few acts of the mint of Scotland, which I have had occasion to see; these are what were made out from 16th December, 1602, to 19th July, 1606; and, again, from 20th September, 1611, to 14th April, 1613; for, it appears from these, that there was coined in Scotland, in these different periods, 51 stone, 11 pounds, nine ounces, twenty-three penny-weights, sixteen grains of gold bullion; but, of silver, five hundred and ninety-six stone, seven pounds, thirteen ounces, twenty-three penny-weights, twelve grains, weight. By this means, according to the way of counting in those days, there were issued, about L. 29726 sterling; but of silver, only L. 28172 sterling; so, that the gold coins, struck in these years, exceeded the silver in L. 1554 sterling value. I do not deny, that this rule is liable to errors; but, we have none more certain, for the present, and we here only seek for probability. From what has been said, we may be allowed to conjecture, without much absurdity, that the sum total, of the money over all Scotland, at the time of the union, 1707, both gold and silver, amounted to a sum not less than nine hundred thousand pounds sterling.

And here, at length, I have finished this long and tedious labour. There are a few things only, which, in the conclusion, I would beg the reader to grant me; the first is, that I hope he will not

not find fault, with too great a ſeverity, if he diſcovers miſtakes, which I may have fallen into from the variety of arguments, and the difficulty of the ſubject matter; wherein, though, I will not affirm, there are no errors, yet I hope they are not many; next, that he may have been tired, becauſe, I thought beſt to make uſe of an humble and leſs ornate ſtyle, and even, ſometimes have uſed barbarous words, ſince I was anxious, only, to be clear on the ſubject: for in this, above any other kind of writing, it will be found true, which the poet ſung, who was about to undertake a work not unlike the preſent, viz.

Ornari res ipſa negat contenta doceri
Et ſi qua externa referunter nomina lingua,
Hoc operis, non vatis erit. Non omnia flecti
Poſſunt, et propria melius ſub voce notantur.

NOTES

OR

PROOFS

Of what is advanced in the Text of the Preface, which are placed by Mr Ruddiman at the bottom of each page; but which method could not be followed in the tranſlation, becauſe of the ſmallneſs of the ſize of the book; and, to avoid confuſion, in making references minutely from the text to the notes, by interlining figures or letters, the notes are here ranged under each particular chapter or ſection, to which they properly do belong.

I. to VII.

GErmonius de Arte Secernendi Antiqua Diplomata, vera a falſis, tom. I. p. 17.

Hicheſius in Diſſertatione Epiſtolari ad Barthol. Schowerum Theſauro Linguarum, &c. vol. I. p. 79.

Beda

Beda Hiſtoria Eccleſ. Ang. lib. cap. 13, and 23. And Proſper Aquitanus, who lived about the ſame time, has the ſame account in his chronicle.

VII.

Fordun, lib. 4. cap. 48.

Rymer, in his ſecond letter to the biſhop of Carliſle on this ſubject.

Atwood's Superiority of the crown of England over Scotland, p. 332, and 564.

Dalrymple's Hiſtorical Collections, p. 87.

Abercromby's Martial Atchievements, vol. I. p. 111.

Sir George M'Kenzie's Defence of the Royal Line, ſee p. 109, 110, 111, 155, 158, and 184.

Boece's Hiſtory, lib. 10. fol. 188.

David Chalmer's Hiſtorical Epitome, fol. 95.

Innes's Critical Eſſay, vol. I. p. 297.

Eginhart's Vita Caroli Magni, cap. 16.

VIII.

Germonius de Arte, *&c.* cap. 1.

Buchanan's Hiſtory, lib. 8.

X.

The charter of the foundation of Dunfermline by Malcolm III. is to be found in Dugdale's Monaſticon Anglicanum, vol. II. p. 1054, which was ſent him by Sir James Balfour; but Sir James Dalrymple rather thinks that charter to have been of Malcolm IV. ſee p. 228. Hiſt. Col. There is alſo handed about, a charter of Malcolm III. granted to Hunter of Polmoud, written in Scottiſh rhyme; but many circumſtances, and this one in particular, that about the ſame age, there was a charter granted by William the Conqueror to one Hunter, written, almoſt, in the ſame words; which Stow,

in his chronicle, p. 111. relates, he had taken it out of an ancient chronicle in the Richmond library. Speed, lib. 9. cap. 2. p. 424. ſays the ſame; but the ſtyle not agreeing with the times convinces us, that it is ſuppoſitious, and this particularly, that the feu-duty, payable for the land, is ordained to be a bow with arrows, when the king comes to the river Yarrow: but this diſtrict, lying on Yarrow, which divides the foreſt of Ettrick, or ſhire of Selkirk, was never under the dominion of the Engliſh.

The chartulary of Dunfermline, in the advocates library, a manuſcript; the characters of the writing of which appears co-temporary with Alexander III.

But, as theſe words are not to be found in David I.'s charter, confirming the donations of his father Malcolm III. to this monaſtery, it may be ſaid, that it muſt only be underſtood of the ſubſequent kings.

The book of the priory of St Andrews, wrote, as Sir James Dalrymple thinks, in the time of David I. now in the poſſeſſion of the earl of Panmure.

Sir James Dalrymple is of another opinion in his Hiſt. Col. p. 226; from the words in the book of St Andrews, "That the lands of Admore, granted by Edelreid, the ſon of Malcolm III. king of Scotland, to the abbot of Dunkeld; and, moreover, by the earl of Fife, which was afterwards confirmed by his brothers, Alexander and David." Sir James aſſerts, that donations made to church-men, were anciently completed by words, till the time of Alexander I. and his brother David I. before certain illuſtrious witneſſes, without the formality of any writing. But

the

the ſame author, p. 151, though he affirms, he never ſaw any written documents, during the reign of Malcolm III.; yet, ſays he, he does not doubt, but there may be ſome of that kind extant.

XI.

The charter of Malcolm II. in a collection in the advocates library, p. 53. which ſhows itſelf to have been written in Robert II.'s time.

See Dalrymple's Hiſt. Col. p. 135.

Nicolſon's Scots Hiſt. lib. p. 210. p. 47.

Dalrymple's Hiſt. Col. p. 136.

XII.

See Boetius, Paris edition, *anno* 1522.

Mabilon's de re Diplomatica, lib. 2. cap. 21. 57.

Rymer's Fædera, tom. I. p. 203, 671. and tom. II. p. 1064, 604.

XIV.

Hiſt. Col. p. 129.

See the Apoſtolical Canons, 27 or 34, and Beveredge on theſe, and Petrus de Marca, de Concr. Sacer. at Imperii, lib. 1. cap. 3. and lib. 6. cap. 1.

Fordun, on the biſhops of St Andrews.

See an account of Andrew Winton in the edition of Buchanan's hiſtory, publiſhed by Freebairn, in the preface, p. 15.

As to the cuſtom of binding the evangeliſts, in gold and ſilver, and adorning them with precious ſtones, ſee Schlegelius's Treatiſe on the coins of the abbots of Hersfeld, p. 16. Chronicon Gotwicenſe, lib. 1. cap. 1, 32.

See Dalrymple's Hiſt. Col. p. 127.

See Sir Robert Sibbald's Treatiſe on the Independency of the kingdom and church of Scotland,

p.

p. 6. And he, in narrating the excerpts, has not the words, *ſummi archiepiſcopi*, which appear to be more correct.

See the reverend and learned Mr John Gillan's Animadverſions on Sir James Dalrymple's Collections, p. 6, and 145.

See Wharton's Anglia Sacra, tom. II. p. 234. his preface, p. 13.

Sir Robert Sibbald's book was publiſhed at Edinburgh, 1703, but Wharton's Works, at London, 1691.

See Sibbald, p. 16, 200, and 237.

Some of the ſucceſſors of Conſtantine the Great, retained the title of Pontifex Maximus. See Anton. van Dale of the heathen oracles, diſſertation firſt, page 251. Thus, there is extant in Loſemus's hiſtory, lib. 4. a ſaying to Gratian the emperor, when he rejected the habit of the high-prieſt, offered to him by the inferior prieſts, "If "the prince will not be called Pontifex, in a very "ſhort time he will become Pontifex Maximus." By which they meant, that *Magnus Maximus*, who afterwards aſſumed the purple, and procured Gratian to be ſlain by his guards, would in a ſhort time become Pontifex Maximus. But it appears, that Gratian himſelf aſſumed the title of Pontifex Maximus, from an inſcription of Anſelmus Bandurus, in his coins of the Roman emperors, tom. II. p. 482. and the emperor Juſtine, long after, from another inſcription from Van Dale, p. 158.

See Boece, lib. 10. fol. 201. George Buchanan, lib. 6. in the beginning. Spottiſwood, lib. 1. p. 4.

And much clearer in the ſeals, not only of Robert, Arnald, but others who ſucceeded them, *viz.*

viz. of Richard, Roger, William, Malvaſine, and William Fraſer, engravings of which are in Mr Anderſon's book.

Geo. Martin's manuſcript, intitled Reliquiæ Divi. Andreiæ, cap. 2.

Sir James Dalrymple's Hiſt. Col. p. 133, 129. above cited.

Mabilon, lib. 2. cap. 2, § 5, § 9.

Boece, lib. 10. fol. 206. lib. 10. fol. 201. as we remarked before, that he ſays, that the biſhop's ſee of the Picts was tranſlated from Abernethy to St Andrews by our Kenneth II. who ended his reign, *anno* 854; but yet the ſame author ſays, that the kingdom of Scotland was not then divided into dioceſes; and adds, that this diviſion did not take place till Malcolm II.'s time, for ſo his words are to be read, not Malcolm III. which, what follows, requires to make this author conſiſtent with himſelf, and others, who narrate the ſame thing; and, we muſt agree with the reverend James Dundas, in the ſupplement to his Treatiſe of the Election of Biſhops, in the primitive church of Scotland, p. 207. That, though theſe ancient biſhops, ſome of them fixed their abode at St Andrews, others at Glaſgow, others, again, at Whithorn, in Galloway; yet their office was not circumſcribed to theſe places or countries.

See Hiſt. Col. p. 125, 127.

Fordun, lib. 4. cap. 17.

Winton's Chronicle, cap. 106, 107.

Dalrymple, p. 125.

The beſt manuſcript of Fordun, in the college library, at Edinburgh; as alſo, the books of Perth and Coupar, in the advocates library. But theſe words,

words, probably, not appearing in the copies of Gale, and of Kearne, they left them out in the editions publiſhed by them.

The book of Coupar, as has been ſaid, kept in the advocate's library.

If, indeed, *avites* be written in the book; but we ſhewed above, that the true reading is *aviti*.

Concerning this matter, ſee the epiſtle of Nicolaus to Eadmerus, mentioned before.

See Martial's Epigrams, lib. 14. epig. 191.

See St Matthew, cap. x. v. 2.

See Innes's Critical Eſſays, tom. II. p. 782, 203, 588.

(*Regnaſſe*) a way of ſpeaking, which Mabilon ſhows, ſome Iriſh biſhops uſed, who ſtiled themſelves REGES.

Fordun expreſsly ſays, that Kellach was biſhop in the time of Gregory.

The chronology of theſe biſhops, is thus ſettled from that old fragment, and from Fordun, who relates, that *Maliſius* was eight years biſhop; and the fragment ſays, he died under Culen; but we infer, that his death muſt be placed in the laſt year of Culen, which was in the year 970, becauſe Fothad, who preceded him immediately in the ſee, is ſaid by the old fragment, to have died under king Duffus, who began to reign 961. But eight years, which Maliſius was in the ſee, are ſufficient to fill up that ſpace, from the death of that Fothad to the election of Maliſius: the ſame may be inferred from Fordun, who relates, from the period allotted to Fothad, who, being expelled by Indulphus, is ſaid to have lived eight years after he was driven out.

XVII.

XVII.

Boece, lib. 11. fol. 236.

Leſley, lib. 5. p. 201.

The year 996, in which Kellach II. died, as we have ſhown.

Chronicle of Melroſe, p. 158.

John Brompton, p. 966. inter decem ſcriptores of Twiſden.

Dalrymple's Col. p. 157, and 185. Simeon of Durham expreſsly relates, that this marriage was celebrated in the year 1070. And Turgot in Fordun, lib. 5. cap. 15. and the chronicle of Melroſe, though it contradicts itſelf, p. 160. agree in this.

Simeon Dunelmenſis, p. 208, and 232.

Dalrymple's Col. p. 234. Wharton's Anglia Sacra, tom. II. in the notes on the above cited epiſtle of Nicolaus, p. 234.

Balfour, who writes, that Catharus was elected from among the Keledees of Lochleven; from which, and from his name, which, in Greek, ſignifies *Pure*, Dalrymple infers, that he muſt have been a puritanical biſhop, ſee p. 232; but the conjecture from the ſimilarity of that name, is frivolous; nor can it be argued, that becauſe Cathre or Catharus, was among the number of the Keledees, that he was a puritan; that is, at that time an opponent to the church of Rome, more than any other Scottiſh biſhop; ſince all the monks in Scotland, were called Keledees, at that time, as Dalrymple himſelf owns.

Boece, lib. 12. fol. 261. relates the ſame thing before Spottiſwood, and alſo Leſley, lib. 6. p. 218. who writes, that this privilege, that the kings

of Scotland ſhould be thereafter anointed, was obtained from Urban II. the Roman pontiff, at the ſolicitation of St Margaret, the mother of king Edgar. But, what makes me doubt exceedingly of this, is the bull of pope John XXII. granting this privilege of unction to our Robert I. in the year 1329; in which laſt, there is no mention of Urban II. nor of that ceremony having been uſed in Scotland prior to this laſt time. The original of this bull is in the advocates library; a copy whereof, David Wilkins, archdeacon of Suffolk, publiſhed in his noble work, the Councels of Great Britain, tom. II. p. 555.

The appendix to Spottiſwood's hiſtory, is commonly believed to be done by one Jo. Middleton.

See the whole of the diſpute betwixt Alexander I. king of Scotland, and Eadmerus, in a work of Eadmerus himſelf, entitled Hiſtoria Novorum, publiſhed by Selden, lib. 5. p. 130.

Dalrymple's Collections, p. 250. where he tells, That the charter granted by this Robert, to the priory of Coldingham, 16 calend, Auguſti, *anno* 1127, in which, he ſtiles himſelf, not *elect*, but ſimply, by the grace of God, biſhop of St Andrews, is preſerved in the regiſter of charters at Durham.

The chronology or ſeries of the biſhops of St Andrews, from the death of this Robert, which happened in 1160, is accurately enough ſettled by our authors.

The liberty or privilege, underſtood in this place, is ſuch as he had above deſcribed.

XIX.

Fordun, lib. 4. cap. 21.
Buchanan, lib. 6.

Innes's

Innes's Critical Eſſays, vol. I. p. 139.

Fordun, lib. 4. cap. 3. writes, that Kenneth II. ſucceeded to the kingdom of Scotland, 834, and to the kingdom of the Picts, having conquered them, in the year 839. But the ſame author, in the ſame book, cap. 8. ſays, "That Kenneth, "having completed full ſixteen years of a reign, "in the monarchy of Scotland, and of the Picts, "departed to the Lord at Fortviot." By this means, according to him, as Kenneth died in 854, he muſt have obtained the complete empire of all Scotland, as it now is; having deſtroyed the Picts, their king being dead, and this about the year 838. But, I cannot here paſs over the remarkable, and moſt aſtoniſhing miſtake of Innes, in other reſpects, a learned and accurate man, who, in volume I. p. 140, overturns the very propoſitions, which he himſelf endeavours to eſtabliſh; "For, ſays he, in that very ancient chronicle of "the kings of Albany, are theſe words, As Ken- "neth II. is ſaid to have died on Tueſday, the "ides of February, it plainly appears, that he "died in the year 859; as, in that very year, the "ides, that is, the 13th day of February, fell "upon the third day of the week, Tueſday;" but this learned man's concluſion is erroneous; for, in that year, 854, in which Fordun, and all our other authors relate, that king died, the ides of February fell upon the third day of the week, or Tueſday, as all the chronological tables informs us; for, in that year, the dominical letter was (G), Eaſter was the 22d April, the indiction was 2, the golden number 19; but, in the year 859, the dominical letter was (A), and therefore, the 13th of February was the ſecond day of the week, or Monday. Conſult Calviſius, Petavius,

Pagius, and other writers on chronology, who all ſuperabundantly confirm this.

XX.

Eginhart does not make mention of any letters ſent from Charles the Great, to the kings of Scotland; but, as he ſays, That there were letters extant, ſent by them to Charles, by which their good inclinations to him are teſtified; we cannot doubt, but that ſome letters were ſent by Charles the Great to them, ſince amity cannot ſubſiſt without being mutual.

Saluſt Bell. Cat. cap. 9.

Cicero de Oratore, lib. cap. 9.

Treatiſe of the independency, p. 15.

XXIV.

I except one, Abercromby, who, in his Scots warriors, following the authority of public acts, affirms what is true and juſt, vol. I. p. 469.

Rymer's Fædera, tom. II. p. 529, and 530.

It may be aſked, if this firſt ſeal on the left be Robert Bruce's, and whether taken away by accident or by deſign.

Rymer's Fædera, tom. II. p. 558, 567, 545, and 548.

XXV.

We except from theſe, John Sage, in his preface to the edition of Hawthorndean, p. 29. John Gillan's Animadverſions on Dalrymple's Collections, p. 157, and John Major; but the opinion of George earl of Cromarty, ſeems to be preferable, and likewiſe that of Sir James Dalrymple, who maintain, that John Major erred in this point, as well as the Continuator of Fordun, Boece, Leſley, and Buchanan; and, though he tells the

the things confuſedly, yet they think he meant to write the ſame account as the reſt did, concerning the legitimacy of Robert III.

Rymer's Fædera, vol. XII. p. 156, and Mr Thomas Ruddiman's notes on Buchanan, lib. 12. for the treaty betwixt Edward and the duke of Albany.

Buchanan, lib. 12.

A charter in the public records, to the duke.

Rymer's Fædera, tom. XII. p. 172, and 174.

There is extant in the records of the parliament of Scotland, from 27th June to 8th July 1483, a trial, by which Alexander, duke of Albany, and James Lidale, of Halkerſton, are condemned, by the three eſtates, as guilty of treaſon.

See 12 act, par. 1. James IV. in which is the propoſition of the debate of the field of Striveling, Black Acts, fol. II. 82.

Rymer's Fædera, vol 12. p. 328.

XXVII.

Cap. 27. I have noted many ſuch errors in chronology, in notes on Buchanan, and brought them to truth by the help of public records.

Such as would deſire to know more about the manifold uſe of diplomas, and other charters, may conſult Mabilon de re diplomatica, Leibnitz codex juris gentium, Ludewigius reliquias omnis ævi diplomatum, Godefredus's Chronicon, Gotwicenſe, Madox's Engliſh Formularies, Hickes's Theſaurus Linguarum, in his prefaces.

Concerning detecting of forgery in charters, Mabilon, in his excellent work de re Diplomatica, deſerves to be peruſed, lib. 3. cap. 1, 2, and 6. and ſupplement to chap. 1ſt, § 3. Hickes, in his preface to his Theſaurus, criticizes on the rules delivered

delivered by Mabilon in lib. 3. and preface. But, in my opinion, Ruinart has vindicated Mabilon, in the preface to the ſecond edition of his works, and ſhows, that Hickes did not either well underſtand theſe rules, or elſe wreſted the ſenſe of the author to another meaning than what he intended.

Mabilon, in his ſupplement, lib. 4. treating of the different kinds of forged writings, thus, without heſitation, concludes, "From all theſe falſe "or interpolated, I am of opinion, none can be "ſo framed, that the forgery or fallacy of them "may not be diſcovered by ſkilful antiquarians; "for truth is ſo ſtrong, and ſupported by ſo many "circumſtances, that it ſhines forth of itſelf, ſo "that always ſomething is wanting, however art-"fully veiled by a lie or by falſehood."

Horace, lib. 1. epiſt. 10.

XXX.

Cap. 30. Rymer's letter to the biſhop of Carliſle, p. 18.

See Meneſtrier de l' Origine des Armores, cap. 3. p. 53. and the authors he there mentions in ſupport of his opinion; yet I wonder that he, cap. 7. p. 172. narrates the ſtory concerning the coat of arms, granted to Hay and his poſterity by Kenneth II. on the authority of Hector Boece, lib. 11.; and, I do not know, if Sir George M'Kenzie, and Niſbet, ought to be excuſed, who not only mention theſe arms granted to Hay, but raiſe the origin of coats of arms to be much more ancient, to the time of Achaius or the ninth century.

I thought it would not be improper to adduce what Hickes, who was a very proper judge, has advanced, to demonſtrate the forgery of this charter

ter of Malcolm III. in his ſaid preface, p. 25. "Laſtly, ſays he, The celebrated Thomas Rymer, a man of excellent parts, and very ſkilful in the belles lettres, particularly of dramatic poetry, cloſes up the rear; who, being entirely ignorant of Saxon literature, publiſhed with great ſplendor, and elegantly engraved, that forged charter made up about 200 years ago; and, which he pretended to be corroborated by king Malcolm's ſeal, by which the kings of Scotland are ſaid to have promiſed homage to Saint Edward II. king of England, as ſuperior lord of the kingdom of Scotland. But, if he had been acquainted with the language, antiquities, and words of ſtile; if he had known even the Saxon letters or characters, or the ſhape of their type, he would have condemned it at the firſt view; for, the hand itſelf in which the charter is written, and the word parliament, which is never to be met with before the 28th of Henry III. in Engliſh records, and the words of the feudal law, ſuch as, leige ſubjects, leige fealty, leige homage, ſuperiority, record of the crown, were unheard of in England before the Norman conqueſt; or the ſeal which bears a family coat of arms, not to ſay any thing concerning the time it is ſaid to have been made up and ſealed, all of theſe evince that it is falſe. Indeed, I cannot but lament the fate of that very learned man, who, by publiſhing that parchment, expoſed himſelf to be chaſtized by the Scots; one of whom, a very learned man, George Ridpath, demonſtrates, that the vaſſalage of king Malcolm was a mere fiction, in the preface to Scotland's Sovereignty Aſſerted, which he publiſhed at London, 1695."

On

On this ſubject, ſee Nicolſon's Scottiſh Hiſtorical library, p. 277, and his preface to the Border Laws.

See Anderſon's Independency, in the appendix, No. 2, 3, and 4. where there are copies of all thoſe ſpurious charters, as well as other five genuine charters; ſee alſo, the appendix to the edition of Bede's hiſtory, publiſhed by Smith, p. 760, and 761, and the appendix to Nicolſon's Border Laws, No. 4. p. 349.

I am ſurprized, that Mr Hickes, who was ſo accute in detecting forgery of charters, did not advert to this, who, in his epiſtle to Showrum, p. 74, reckons, not only this charter of Edgar genuine, but another of king William of England, which confirms it; and ſtill more, that he attributes this charter to William the conqueror; his words, concerning ſeals pendent to charters, without witneſſes, are as follow: "Of this kind, "ſays he, are the letters patent of William the "Conqueror, who confirms to the church of Dur-"ham, corroborated with his great ſeal hanging "thereto, lands in Lodonea, in Scotland, which "king Edgar, ſon of king Malcolm of Scots, had, "before that time, gifted to him;" for nothing is more certain, than that William the Conqueror died, at leaſt, nine years before that Edgar reigned in Scotland; which charter, if we ſuppoſe it granted by William Rufus, the ſon of the Conqueror, it will appear to be no leſs a forgery, becauſe there was no ſuch biſhop of the name of William, biſhop of Durham, during all Edgar's reign, as is quite clear from the teſtimony of Engliſh writers; to this, may be added the arguments uſed by Nicolſon in the preface to the Border Laws, p. 36.

Tyrel's

Tyrel's Introduction to the Hiſtory of England, vol. III. p. 9.

See a copy of this charter in Anderſon's Independency, No. 7. appendix, and p. 105.

XXXII.

Nicolſon's Scots Hiſt. lib. p. 28. laſt line.

I ſhall, in a little after, give my reaſon, why I doubt whether the 1333, or 1334, anſwers to the 5th year of David II.'s reign.

I ſay further, that an abſurd ſtory muſt be here narrated; for, by that means, Robert, againſt every rule of right and decency, muſt have married the daughter of his own brother and ſiſter.

See a copy of the treaty in Rymer's Fædera, tom. VI. p. 696. Dumont Corps Diplom. tom. II. p. 2, and 81. and principally, in a manuſcript in the advocates library, the title of which is, "Traidez entre les Roys de France, et les "Roys de Ecoſſe, p. 40." which Louis XIV. of France, made a preſent of to the viſcount Preſton, ambaſſador from Charles II. to France.

See the ſaid manuſcript, fol. 88. and the laſt treaty is dated at Edinburgh, 16th March, 1511, and 10th July, 1521, and the ſame manuſcript, fol. 105. the date 2d January, compared with the original, 18th April, 1515.

This appears from the ſteps of the treaty in the above manuſcript.

XXXIII.

See Atwood's Superiority, p. 96.

I do not inſiſt on the charters of John Baliol, who cannot be called David Bruce's predeceſſor.

See Rymer, tom. IV. p. 536, 539, 548, and 590.

See Rymer's Fædera, tom. VI. p. 12, 31, 37, 39, 65, 66, and 68.

Edward, and his ambaſſadors, do once and again, ſtile David, king of Scotland; ſee Rymer, tom. VI. p. 15, and 69. but this ſeems to be owing to the careleſſneſs of the tranſcriber, ſince the Engliſh king refrains from beſtowing this title on other occaſions.

And, as vouchers of what is advanced in p. 77, and 78, part 79. of the tranſlation, ſee Rymer's Fædera, vol. VI. p. 722, 736, 737, 746, and 733, 742, 759, 789, 815, and 748, 788, and the before cited manuſcript of French Treaties, in the advocates library, fol. 20.

I was of opinion, that the forgery of that charter, fathered on our king David II. ought to be the more accurately diſcuſſed, becauſe that celebrated Engliſh hiſtorian Brady, in his Continuation, p. 198. and likewiſe Nicolſon, in his Engliſh Hiſtorical Library, p. 68. eſteemed it a genuine charter; though the laſt, being better informed, retracted his opinion. Though I do not dwell on the authority of theſe charters of Henry VI. VII. and VIII. above noticed, which are adduced in ſupport of theſe forged charters of our kings, as I am not ignorant, that it was uſual for theſe kings, when they chooſed to pick a quarrel with their neighbours, to ſeek out reaſons from the moſt trivial cauſes, ſometimes altogether groundleſs.

It is to be remarked, that the Scots college at Paris, is not a fraternity of Jeſuits, as Atwood has dreamed.

I could adduce numberleſs inſtruments, in which, not only princes, but great men among the

the Germans, Italians, and French, ſpeaking of themſelves alone, uſed the plural number, at this time, and before.

But the examples are not ſo very rare among the Engliſh, as may be found in Dugdale's Monaſticon Anglicanum, and others.

Theſe charters of confirmation, got their name of *inſpeximus*, becauſe, almoſt always the princes who granted them, uſed the words *inſpexiſſe* or *vidiſſe*.

No 8. In marking the years of the Chriſtian æra, correſponding to the year of David II.'s reign, I have followed, ſo far as I know, the rule obſerved in theſe charters of his; but, I muſt confeſs, there occurs a very ſurprizing thing, and exceeding belief, unleſs it had been confirmed by the moſt certain proofs; it is this, That in the public acts of this reign, there is only the ſmall error of one year, which is, that the firſt year is numbered for the ſecond, 2d for 3d, and ſo on. It appears very evidently, however, that the matter ſtood thus, becauſe, not only our own hiſtorians, but the public acts of England, confirm, that Robert Bruce, the father of David, died in the month of June, 1329; (and, as our hiſtorians ſay, on the ides or 7th of June). Compare Rymer's Fædera, vol. IV. p. 397, 400, 406, 445, and 462. This being ſettled, the firſt year of the reign of David, is to be numbered from the 7th June, 1329, to the ſame day of the year 1330; the ſecond, from that to 7th June, 1331; and the third year, from that again to 7th June, 332; and ſo on till 7th June, 1370, on which day, the 40th year of the reign of David ought to begin, which was the laſt; for he died 22d day of February thereafter. Although all theſe things, are as certain and unchangeable as the revolutions of the year, and of

the ſun, yet, it is no leſs certain, that our king David II. and his miniſters, had uſed another, and different rule of counting, in numbering the years of his reign. It would be endleſs to recount the examples which might be adduced to confirm this; let it ſuffice to bring the following, which I have picked out, moſtly, from records, which I myſelf examined

1*mo*. From the records of Scotland. (1.) Charter of David, No. 166. granted to Alexander Cockburn, 1361, *regni* 31. (2.) No. 235. To Thomas de Rate, 23d October, 1369, *regni* 40. (3.) No 237. To Sir James Douglas, 8th December, 1369, *regni* 40. (4.) No 239. To Alexander Lindſay, 15th January, 1369, *regni* 40. (5.) No 256. To William earl of Roſs, in full parliament, 23d October, 1370, *regni* 41. (6.) No 257. To Donald Macnayre, 24th October, 1370, *regni* 41.

2*do*, From Rymer's Fædera, vol. VI. p. 68. the ratification for the king's redemption in full council at Scone, 6th November, 1357, *regni* 28. (8.) Rymer, p. 632. the form of truce for fourteen years with Scotland, Edinburgh, 20th July, 1369, *regni* 40.

3*tio*, From the ſame Rymer's Letter to the biſhop of Carliſle, p. 38. (9.) The bond granted to the king by David Bruce at London, 4th June, 1370, *regni* 40.

4*to*, From the above-cited Treaty, betwixt John king of France, and David king of Scotland, p. 36. in which the power (10) committed to the ambaſſadors by David, is dated 10th May, 1359, *regni* 29. I might bring other evidences from the chartularies of our monaſteries; but what we have already ſet forth, are ſufficient to put the matter beyond all doubt, that David, or thoſe

of

of his privy council, or ſecretaries, have miſſed one year in marking the chronology of his reign. In this ſurprizing affair, after making all the conjectures I could, I can aſſign no other reaſons for it but the following, That, during the deſtructive war that raged in Scotland for many years, David, to be out of danger, retired to France; and, it may be probable, that no charters, at leaſt very few, were iſſued; but when he returned, 2d June, in the year 1342, that is, towards the end of the thirteenth year of his reign, the perſon who overſaw the writing the records or acts, not adverting that the 7th day of that month of June did begin the 9th year of the king's reign, by a ſurprizing and intolerable inadvertency, has reckoned the whole following years as beginning a new year of his reign; but, if this miſtake was once admitted, it continued till the end of David's life, by the ſame careleſſneſs, or by conceaſing of the true calculation, though it was diſcovered. Some, perhaps, may think, that, anciently, our kings reckoned the beginning of their reigns, not from the day of the death of their predeceſſors, but from their inauguration; and, that David followed this manner of numbering the years of his reign. Buchanan was in this miſtake, who therefore, only allots 39 years for the reign, for this reaſon, that David II. was not crowned till 24th November, 1331; but many evidences, beſides the records of David, of which there are many dated the 41ſt year of his reign, clearly demonſtrate, that this was not the cuſtom of our kings in reckoning the years of their reign. Moreover, the two inſtruments of this king, formerly mentioned, one 20th July, 1369, and of his reign 40th; another 4th June, in the year 1370, and likwiſe of his reign the 40th,

40th, manifeſtly ſhow, that the miniſters of David reckoned the commencement of his reign, from ſome day betwixt the 4th of June and 7th July, but not from the 24th November, which is far diſtant from theſe firſt two months. But, ſince Robert, the father of David II. died 7th June, as we ſaid before, that is, in the middle, betwixt the 4th June and 20th July; hence, it is more than probable, that that 7th day of June was fixed as the term; from which, the copiators in that king's time, (though they, by careleſſneſs, ſlipped one year,) did, however, compute the beginning of his reign, in their reckoning of them. Some things may be ſeen concerning this matter, in Mr Ruddiman's notes on Buchanan's hiſtory, Freebairn's edition, p. 432, in which, at the time I wrote them, which I am not aſhamed now to own it, I had not adverted to this error in chronology from the public records, which was not to be expected. I may yet add here, that the original receipt for ten thouſand merks, from David king of Scotland, is in our records, the copy whereof is to be found in Rymer, vol. IV. p. 445. which original receipt, as it differs very much from the copy, I thought proper to give here, and put down in Italicks ſuch words as are left out in the copy given by Rymer.

Tranſlated thus:

" Edward, by the grace of God, king of Eng-
" land, lord of Ireland, and Duke of Acquitaine,
" to all to whom theſe preſent letters may
" come, Greeting. Know ye, That we have
" received, and to have *fully in money down told*,
" from the moſt excellent prince, David, *by the*
" *grace of* God, *illuſtrious* king of Scots, our
" deareſt

" deareſt brother, ten thouſand merks ſterling, " from the term of the Nativity of St John, the " Baptiſt, laſt by paſt, in part payment of thirty " thouſand merks, which the foreſaid *lord*, the " king, was bound yet to ſend, by virtue of the " peace betwixt us and the lord Robert, king of " Scotland, father of the lord king David himſelf; " of which ten thouſand merks, we acknowledge " us to be fully *paid*, and the ſaid *David, and his* " *heirs, and ſucceſſors, and others, whom it may* " *concern*; and, by the tenor hereof, we diſ- " charge them *forever*. In witneſs whereof, we " have cauſed make out theſe our letters patent. " Witneſs myſelf, at Wodſtock, 15th July, *in the* " *year of our reign 4th*, that is, *anno Domini* 1330.

I may be allowed to give one inſtance of very many, from the chartulary of Moray, fol. 82. and the rather, becauſe it confirms, that, not only the cuſtom, of which we are preſently ſpeaking, whereby great men, making donations to pious uſes, ſubmitted themſelves to be compelled by the cenſure of the biſhop of the place; but it alſo confirms that other practice, of uſing the plural for the ſingular number, had prevailed long before 1364, in Scotland. It is the charter granted by that forever illuſtrious patriot Thomas Randolph, earl of Moray, lord of Annandale and Man, dated at Elgin, 16th May, *A. D.* 1328; by which, " ſays he," (theſe are the words), " We " will and promiſe, to found for the honour of God, " and the enlargement of divine worſhip, five per- " petual chaplains, for the ſalvation of the ſoul of the " magnificent prince, and *our* lord, Robert, by the " grace of God, illuſtrious king of Scots, *our* uncle, " his heirs and ſucceſſors, and for the ſalvation of *our* " ſoul, and of the ſouls of our progenitors, rela-

tons

" tions, and friends, to celebrate in the ſaid church,
" (that is, of Moray.) For the ſuſtention of which
" five chaplains, *we give, grant and aſſign*, and by
" *our* preſent charter *confirm*, for *us*, *our* heirs and
" ſucceſſors, L. 23 : 13 : 4 ſterling money of annual
" rent, to be forever enjoyed out of the," *&c.*
And, at a good diſtance after. "And if it happen,
" which God forbid, that *we or our* heirs, or ſuc-
" ceſſors, ſhould in any ways oppoſe, contradict,
" or contravene this *our* pious donation and
" grant; *we will and grant*, and for *us*, and our
" heirs and ſucceſſors confirm, that the biſhop of
" Moray, for the time being, or during a va-
" cancy of the ſee, the dean and chapter, to
" whoſe JURISDICTION and cenſure, as to this
" point, *we* expreſsly *ſubmit us*, *our* heirs and
" ſucceſſors, by every kind of church cenſure, as
" well reſpecting our perſon, as our lands, that
" he may freely compel and diſtreſs for the ob-
" ſervance of all the foreſaid obligations," *&c.*
From theſe we may perceive, that one egg cannot be more like another, than this charter of Robert Stewart's is to the charter of Thomas Randolph. How great, therefore, is the ignorance or perverſeneſs of Atwood, who is not aſhamed to obtrude on the incautious reader, the very reaſons which chiefly eſtabliſh the truth of the charter of Robert Stewart!

Fordun relates, that theſe eſpouſals were canonically celebrated (as it is expreſſed) in the year 1349, whoſe words, as they comprehend a true relation of the matter, I have thought expedient to ſubjoin.

" This Robert, begot on a daughter of Sir A-
" dam More, knight, ſons and daughters before
" marriage, whom he afterwards eſpouſed cano-
nically,

"nically, and in face of the church, in the year "1349, having obtained, for that purpoſe, a diſ-"penſation from the apoſtolic ſee." Thomas Hearne, in his preface to his edition of Fordun, p. 176. conjectures, and rightly, as I think, that this narrative, which is in all the editions of Fordun that I have ſeen, to be the ſtory and words of Fordun himſelf, not of Bowmaker his Continuator; for, otherwiſe, Bowmaker would not ſo ſhamefully contradict himſelf, who, in another part of his book, ſays, That the marriage was celebrated after the death of Eupham Roſs, which, according to his own account, did not happen till the year 1387. This charter of Robert Stewart demonſtrates the thing to be entirely falſe; but, what Bowmaker himſelf tells concerning Robert Stewart, regent of Scotland, who died at the age of 80, on the 3d of the nones of September, in the year 1419, renders the ſtory incredible; for, by that means, he muſt have been born in the year 1339; but, ſince he was third ſon of Robert Stewart and Elizabeth More, as Mr George Crawford demonſtrates in his peerage, p. 6. and born after one or two daughters, it follows, that John, the ſon of Robert Stewart, muſt have been born, at leaſt, in the year 1337, that is, fifty years before the death of Eupham; but, it is contrary to all probability, that Robert ſhould connect himſelf in marriage with Elizabeth More, who was then paſt child bearing, an old woman ſtripped of every charm; and, at the ſame time, when Robert himſelf was far advanced in years, and incapable of government; ſo that the very next year, 1389, as Bowmaker relates, they named his ſon Robert, earl of Fife, viceroy of Scotland. I only have further to add, that Mr

Richard Hay, a diligent ſearcher into the antiquities of Scotland, in his Vindication of the legitimacy of Robert III. places this marriage of Elizabeth More in the year 1334, and which marriage, he contends was lawful from the very beginning. But the reaſons given by him do not, however, ſatisfy me; nor can I approve of the argument of the judicious and reverend Mr John Sage, in his preface to Hawthorndean's works, p. 41. by which he is inclined to place the time of that marriage in the year 1335 or 1336; for I conclude nothing from theſe, but that John the eldeſt ſon was then born; but, it does not from thence follow, that he was begot in lawful marriage. What is related by Fordun ſeems more likely, to wit, That John, and many other ſons and daughters, of Robert Stewart, were begotten out of lawful wedlock, to which the mother's conſanguinity was a hinderance; but that obſtacle being removed by the Roman pontiff's diſpenſation, they became all legitimated, the marriage being celebrated and completed according to the then received canons of the church, in the year 1349.

The charter mentioned by viſcount Tarbet, is that ſtatute approven by the three eſtates of the kingdom, by which the Scots biſhops are impowered to diſpoſe of their moveables by teſtament, and inſert in the rolls of David.

Mr Sage has obſerved many other errors in figures, in that book of the earl of Cromarty's, which are all rectified in the 2d edition.

From the computation conſtantly obſerved in the charters of David, for otherwiſe, the charters granted from 7th June, 1370, to 22d February, 1371, the laſt day of David's life, ſhould, as we have noted above, be placed in the 42d year of his reign. The

The reader may here consult our notes on Sage's preface above mentioned, p. 36, and at that time republished in the letters to doctor Robert Gray, in Hearn's preface to Fordun's chronicle, p. 187.

See Dalrymple's Collections, preface, p. 36. who asserts he saw these excerpts from the larger register of Glasgow.

Those that incline to be informed of the different controversies, agitated among the learned men, concerning the authenticity of instruments, let them have recourse to Ludevigius's preface to his treatise, entitled Remains of charters and monuments not yet published; wherein, that celebrated antiquarian has discussed a long series of what he calls the diplomatic disputes, from p. 23, to p. 78. The most famous, was that one which was agitated about the authenticity of the charters of the kings of France, of the Mero-vingian and Carolo-vingian race, carried on for many years betwixt Germonius and Mabilon.

XXXV.

Hoppingius, in a book entitled a Practical Treatise of ancient and modern seals, in Latin, tom. IV. *anno*, 1642.

Mabilon, in his work de re Diplomatica, twice published at Paris, 1681, and 1709, fol. cap. 14. to cap. 20. Supplement, cap. 11.

XXXVI.

Heinneccius, in his book entitled de Vetenbus Germanorum aliorum nationum Sigilli, Lipſ. 1709. To these may be added a book of Kirchman's de Annulis, and Longus, keeper of the Ambrosian library, his treatise concerning sealing-

rings; and Gerlæus, in his preface to his Dactylio Theca, in which he treats of the origin of rings, and their various kinds and uſes among the ancients.

Mabilon, de re Diplomatica; lib. 2. cap 14.

XXXVII.

Gerlæus's proeme to Dactil. p. 4.

Hoppingius, de Jure Sigillorum, cap. 2.

Mabilon, lib. 2. cap. 14. and Druſius, Grotius, and others, are of the ſame opinion with regard to the ſeal given by Judah, the ſon of Jacob, to Tamur in pledge.

Exodus, chap. xxxviii. 11. xxxv. 22. xxxix. 22. Kings, chap. xxi. 8. Eſther iii. 12. See Heinneccius, part I. cap. 3. de Sigillis. And, as Kirchman ſhows, the ancients ſealed not only letters, charters, and other inſtruments, but the doors of their houſes, their bags of money, and cheſts, their veſſels wherein liquor was kept, and, in a word, every houſehold proviſion and furniture, as he ſhows at full length in the forecited book, cap. 10.

See Alexander ab Alexandro Dierum Genial. lib. 2. cap. 19. Kirchman, cap. 15. and 16. Mabilon as above.

Mabilon, lib. 2. cap. 14, and 16. This ſealing-ring of Childerick's, excepting the Greek or Roman ſeals, is by far the moſt ancient of the monuments of that kind now extant, and was dug out of the burying place of that king, at Cambray, 27th May, 1653, and which Chifflet cauſed be engraved, and illuſtrated with an excellent commentary, in a book entitled Anaſtaſis Childorici I. *anno* 1650, from which, Heinneccius cauſed delineate the repreſentation of his ſeal, tab. I. n. 4.

XXXVIII.

XXXVIII.

Meurſius's Exercit. Critic. p. 2. cap. 9.

Juvenal, Satyr I.

Ateius Capito, in Macrobius, lib. 7. cap. 13. expreſsly relates this. See Pliny's Nat. Hiſt. lib. 33. cap. 1.

XXXIX.

Kirchman de Annulis, cap. 11, 12, and 13. to which, add Longus de Annulis, cap. 6. Chifflet's Anaſtaſis Childorici, p. 108.

XL.

Hoppingius de Sigillis, cap. 4.

Dufreſne, in Gloſſario voce *Sigillum*.

Heinneccius ſhows, that the counter ſeal was not always of the ſame bigneſs with the original or principal ſeals, part I. cap. 15. and which appears from the earls of Flanders ſeals.

XLI.

Mabilon deſcribes accurately, lib. 2. cap. 16. the method of affixing, or rather tying, theſe ancient ſeals of the French king. The author of the Chronicon Gotwicenſe, treating of the ſame ſubject, lib. 2. cap. 1. adds, "That the back part of the "wax remained bare without any impreſſion." See Heinneccius, cap. 16. § 2.

Louis le Groſs began to reign, *A. D.* 1108, and Louis VII. in the 1137.

Mabilon, lib. 2. cap 19. § 1, and 3. lib. 2. cap. 16. lib. 5. p. 428. lib. 2. cap. 16.

Agnes, widow of Henry I. died *anno* 1060.

Battle-abbey: in thoſe days, any particular battle was called Bellum, as Bellum Standardi, de Bannockburn, de Creſſay. Hicke's

Hicke's Epiſtolary Diſſertation on the uſe of the northern tongues, p. 72.

XLII.

The firſt of theſe charters, which Selden deſcribed, is not older than the year 1067, in which Walkelinus, named by that king, is a witneſs, as appears from Simeon of Durham, Hoveden, Diceto, Brompton, ſo that Heylin is ſomewhat miſtaken, who, in his treatiſe entitled an Help to Engliſh Hiſtory, writes, That he began or entered into the ſee, *anno* 1073.

See Mabilon, lib. 2. cap. 19.

Roſarius in Apparatu ad Stemmata Lotharingica, makes the origin of gold ſeals 200 years ancienter than Charles the Great; but Heinneccius de Sigillis German. p. 1. cap. 4. ſhows the authority of that author to be deſervedly ſuſpected.

XLIII.

It is doubted amongſt writers, who was the firſt who introduced the uſe of ſeals of metal; Dufreſne voce (Bulla), attributes the invention to the kings of the Franks, with whom Polidore Virgil de re Inv. lib. 8. p. 605, agrees, as does Thulemarius de Bulla Aurea, cap. 2. and whoſe opinion Mabilon ſeems to favour, lib. 2. cap. 16. But the opinion of Malincrotius pleaſes me more, in lib. de Cancell. Imp. p. 116. and of Heinneccius, who attribute their origin to the emperors of Conſtantinople; and, that from them, they ſpread to the Franks, as many other cuſtoms did.

See Mabilon, lib. 16. § 15. Dufreſne voce (Bulla) Chronicon Gotwicenſe, p. 83, 162, 212, 230, 310, but principally Gunter, in a particular

tract

tract on the gold, ſilver, and lead ſeals, and Heinneccius, p. 1. cap. 4, and 5. But, not to mention very many other ſeals of the ſame metal, appended to the charters, from Charles the Great to Leopold, alſo by the kings of France, England, Spain, Sicily, Italy, Hungary, Bulgary, and the popes; the moſt remarkable, and therefore for its excellence, called *the golden bull* of Charles IV. the deſcription of which, as ſigned at Nurimberg, and Metz, *anno* 1356, and preſerved at Frankfort on the Main, Gunter Thulemarius relates to be as follows: "The books, ſays he, "is compoſed in the Latin tongue, in "Monkiſh characters, conſiſting of forty-three "leaves of parchment, containing the general "contents of the chapters on the ſecond and "third page, and a particular rubric prefixed to "each chapter; the ſeal, or bull which hangs at "it by threads of yellow or black ſilk, drawn thro' "every ſingle leaf, is round, and of ſolid gold, "equalling the thickneſs of a double Joannes; on "the one ſide, bearing the effigy of Charles IV. "ſitting as emperor, in his robes and ornaments, "wearing the imperial crown, the ſceptre in "his right hand, and holding the apple, with "the crucifix fixed on it, in his left; on whoſe "right hand, is the figure of a ſingle eagle, not "the double eagle; and, on the other ſide, the "lion with a double forked tail; in the circum-"ference, in capital letters of that age, CARO-"LUS QUARTUS DIVINA FAVENTE CLE-"MENTIA ROMANORUM IMPERATOR, "SEMPER AUGUSTUS ET BOEMIE REX; "on the other ſide of the ſeal, a large caſtle; "which ſome think, means the capitol, others

the

" the city of Rome, with three towers, which " has in the middle an open gate, with letters " engraven in the end.

AUREA ROMA.

On the edge this verſe,

Roma caput mundi, regit orbis frena rotundi.

Hoppingius deſcribes it in the ſame manner as he ſaw it 2d June, 1639. We have a repreſentation of it by the ſame Thulemarius, p. 55, and by Heinneccius, tab. I. p. 90. Of the ſame kind is that remarkable golden bull, which Spelman mentions in his Gloſſarium, and which I ſaw in the regiſter at Weſtminſter, it is of Francis I. king of France, appended to the treaty betwixt him and Henry VIII.; on the fore-part of which theſe verſes are deſcribed, " Plurima ſervantur fœdere " cuncta fide." Dufreſne vouches the ſame thing, concerning the golden bull hung to that treaty, as does Peireſceus, in his manuſcript Memorandums, and which, he ſays, he ſaw in the royal archieves, and was of a bigger ſize, and weighed ten gold crowns Spaniſh, on which is ſtamped the arms of England, with the regal crown, collar, and garter. Spelman relates the ſame thing; and, that the golden bull was appended to the diploma of Clement VII. who conferred the title of defender of the faith, on the ſame Henry VIII.

XLIV.

The doges of Venice, from the time of Alexander III. the pope, that is, from the year 1177, were in uſe to ſeal their letters with lead, as Kirchman informs us, p. 54. and Thulemarius, p. 29.

Ingulphus,

Ingulphus, Hiſt. p. 901, edit. Savill. is a ſufficient evidence in this matter, who was made abbot of the monaſtery by William the Conqueror, *anno* 1076, as he himſelf tells us.

What further confirms this matter, is what is to be read in Hickes's Diſſer. Epiſt. p. 7. on Stillingfleet's Origines Britanicæ, taken from the chartulary of the monaſtery of the Auguſtines at Canterbury, preſerved in St Thomas's hall at Cambridge. See ſame author, p. 64, and 71.

In the ſame we may decide, concerning that ancient charter, which is ſaid to have been found by the Scots in their incurſions into Cumberland, *anno* 1386, and which the Continuator of Fordun tells us, was brought to their general Robert Stewart, earl of Fife, as follows: "Among other "ſpoils, ſays he, there was preſented a moſt an- "cient charter, ſealed with a large wax ſeal, of "the following tenor, *I king Adelſtan, gyffs* "*here to Paulayne, Oddan and Roddan, als gude* "*and as fair as ever they myne war, and thairto* "*wytneſs Malde my wyffe.*" I do not doubt, but ſuch a charter might have been found; but though Craig, in his book de Feudis, lib. 1. dieg. 7. § 4. eſteems it genuine, yet that large ſeal of wax, ſaid to be appended, demonſtrates it to be a forgery.

Dufreſne in Gloſſ. voce Monogramma.

Mabilon, lib. cap. 10. Diplom.

Heinneccius, de Ger. Sig. p. 1. cap. 9. § 51.

Chronicon Got. lib. 1. cap. 1. and elſewhere, in which the cyphers of the German emperors, from Conrad I. to Frederick II. are accurately deſcribed.

Lactantius demor. Per. cap. 44.

Bandurius adverſus Hardwinum, tom. II. p. 250, 273.

XLV.

See Mabilon, lib. 2. cap. 16.

Heinneccius, part I. cap. 7. § 6, and 8.

But, in theſe gold ſeals, the vanity of the kings and emperors appears, who ſometimes melted down a great weight of gold in theſe ſeals. It is worth mentioning what Hein. adduces out of Chron. Goſlar. *viz.* moreover, the emperor Henry III. gave to the church of St Simon and St Jude a certain letter, ſent to him by the king of Greece, with a gold ſeal, ſo weighty, that a gold calix, or communion cup was made of it, and of "the letter itſelf an altar cloth."

See Heinneccius de Sig. Germ. p. 1. cap. 28.

Mab. de re Dip. lib. cap. 16.

Chron. Got. Tib. lib. 2. p. 106.

XLVI.

Hein. cap. 17. Mabilon, lib. 2. cap. 19.

Concerning the affair of Phelim o' Niel, conſult Clarendon Hiſt. of the affairs in Ireland, p. 16. Nalſon's Collect. vol. II. p. 527. Thomas Carte's life of the duke of Ormond, vol. I. p. 179. and his Treatiſe on this ſubject, in which he excellently defends Charles I. from the falſe imputation of that horrid crime, which Chandler endeavours to fix on him.

See Hickes's Epiſt. Differt. p. 72.

See the ſeals of Philip Auguſte, Lodovicus VIII. and IX. in Mabilon, lib. 1. p. 431, and 433.

See Olivat. Ured. de Sig. Comitum. Flandræ, p. 19.

See Anderſon's Independency, p. 77.; alſo, Selden's Titles of honour, p. 1. cap. 2. Dufreſne Gloſſarium voce *Baſileus*.

See the repreſentation of Edward the Confeſſor, in Speed, p. 398.

Mabilon, Tab. 39. p. 423.

Chron. Got. lib. cap. 6, and cap. 5. where there are two ſeals of Otto III. mentioned, in which the emperor is ſaid to be repreſented ſitting on a throne; but he ſays, theſe are rare, and of which he never ſaw any like them. But Mabilon has fallen into a miſtake, in ſaying that the ſeal of Charles le Gros, was of the ſame ſhape; for I can find no ſuch ſeal in the authors mentioned by Mabilon, except one impreſſion of lead, where that prince is repreſented with a ſhield and ſpear. See Mab. Sup. cap. 11. p. 48.

As to the ſtamping the picture of princes on ſeals, ſee Heinnec. Part I. cap. 9.

There were frequent changes made in theſe enſigns; as for example, a ſtandard, frequently a baton, more frequently a ſceptre, adorned with a lily or a bird, and ſometimes with a flower in their hand.

See Chron. Got. tom. I. p. 107. Mabilon, lib. 2. cap. 17. lib. 5. p. 416.; but, forgetting what he had ſaid before, lib. 2. cap. 17. relates, that the crown was firſt aſſumed by Lotharius, the laſt of the Carolo-vingian race.

See Chron. Got. tom. I. p. 164. Evelyn's Treatiſe on medals, p. 34.

As to thrones, ſee the ſeals of the emperor Henry II. in Chron. Got. p. 227. of the kings of France, Mabilon, Tab. 39. Of the Engliſh, Sandford, in the Genealogical hiſtory of theſe kings. And Uredius, of Arnold, earl of Flanders.

As to ſtirrups, Magius, in his Miſcellanies, lib. 2. cap. 14. and Salmaſius ad Spartianum, p. 718. ſhow, that they are not of modern invention. St Jerome mentions them by the name of ſtapiæ, and biſtapiæ.

Trappings of horſes, we ſee on the ſeal of Alexander II. on the reverſe, the arms of Scotland, inſcribed, not only on the ſhield, but on the back part of the ſaddle; and theſe arms are the ſame as at this day; and although the ſhield of his father, king William, is quite plain, as thoſe of former kings; yet Niſbet, a celebrated author on heraldry, aſſerts he ſaw in Sir Robert Sibbald's anſwer to the ſecond letter of Rymer, p. 110. a charter granted by William to Philip Seton, to which a ſeal of white wax was appended, on the reverſe of which, there was ſtamped a lion rampant, ſurrounded with a border of lilies; I cannot doubt of this ſeal, as he ſays it was in the charter-cheſt of the family of Winton; but it is probable, that our king William imitated the example of Richard I. with whom he was in great friendſhip, and having laid aſide his firſt ſeal, has taken up this laſt.

See Fordun, lib. 2. cap. 12. Hector Boece, lib. 1. fol. 7.

See Spelman, Aſpilogia, p. 36, 43, 44.

Cambden's Remains, tit. Armories, p. 180.

Spelman's Titles of honour, p. 2. cap. 8.

Shefferus de Antiq. Sueaci inſig. cap. 3.

Meſtrier de l' origine des Armoires, cap. 4.

As to the French lilies, ſee Mabilon de re Dip. lib. cap. 16. Spelman and Spilo, p. 37.

As to the lion on the Engliſh arms, ſee Nicolſon's Eng. Hiſt. lib. p. 178. who writes, that Richard I. had two lions on his ſeal; and which

Speed,

Speed had aſſerted of the firſt ſeal, p. 479; but I find only one in Speed and in Sandford. What Nicolſon aſſerts of three lions, that John ſon of Richard I. bore on his ſhield, muſt be a miſtake; becauſe Speed and Sandford, ſay it was Richard II.'s ſeal.

Matthew Paris Hiſt. Ang. p. 351. Uredius de Sig. Com. Fland. p. 6, 19. Schefferus, cap. 2. p. 128. Heinnec. de Sig. Germ.

Concerning the impreſſion of arms on ſeals, there is an exception of the Swediſh money, on which, in the moſt ancient times, three crowns are to be ſeen inſcribed, as the arms of that kingdom, about the years 1018, or 1034, and 1129. But that piece of money is much ancienter, which Schefferus has cauſed to be engraved, on which are three crowns, and which Brennerus attributes to Olaus of Tretelia, who reigned about 800. But as that old piece of coin, is of that kind, which is of a very thin plate, and only ſtamped on one ſide; and that Schefferus pronounces it to be of Olaus, for no other reaſon, than that it has the letter V. on it; he will pardon me, if I ſomewhat doubt of the very great antiquity of that coin.

L.

See Boece, lib. 2. fol. 20. Nicolſon, in his Scottiſh Hiſtorical Library, p. 288. brings, as evidence for this affair, the catalogue of the kings of Scotland, prefixed to Hector Boece's Hiſtory; but he doubts, or rather denies, that it was written by Boece, becauſe it ends with the two huſbands of queen Mary; but this is no good reaſon, for theſe were added, ſome how, in the laſt edition of Boece's Hiſtory; but, what puts the thing beyond doubt, is the firſt edition, pu-

bliſhed

bliſhed in Boece's lifetime, in which the catalogue of our kings to James V. is expreſsly in the ſame words. What Leſley relates about leather money of king Reutha, muſt be eſteemed a fable.

See Lowndes Eſſay on the amending the Engliſh ſilver coin, p. 16.

LII.

Le Blanc, in his Hiſtorical Comment on the French coins, p. 94. ſhows, that, in the age of Charles the Great, the pound, or French livre, contained 20 ſols, that again 12 derniers; and that the computed and numeral pound was the ſame. Under the Anglo Saxon kings, there was the ſame quantity of metal in the computed and numeral pound; but they did not number their parts in the ſame way as the French. Hickes ſays, that the Saxon pound contained 60 ſolidi, or ſhillings; but Fleetwood, more rightly, in his Chronicon pretioſum, cap. 27. following Cambden, Spelman, and Lambard, ſays, that the Saxon pound conſiſted of 48 ſhillings, the ſhilling of five pence; ſo that the penny made the 24th part of the pound, as it now does. But William the Conqueror, having introduced the French method of computing money, divided the pound into 20 ſhillings; each ſhilling was made out of one ounce, and contained 16, ſometimes 20 pence, and, at that time, there was 15 ounces in the pound; ſo far Fleetwood, p. 35.; but which does not agree with what he aſſerts in the next page, that the Engliſh Norman pound was the ſame with the French pound, which was of 12 ounces, each ounce conſiſting of 20 penny-weights; and which he confirms by the teſtimony of Dufreſne.

Penny-weight, I here ſpeak of Troy weight, by which the more precious things are in uſe to be

be weighed, not averdupoiſe, by which coarſer things are weighed, and of leſs value for their ſize.

See Bodinus of the increaſe and decreaſe of gold and ſilver. Molinæus of the change of money, queſt. 100. § 91. Klochius de Orario, lib. 2. cap. 84. Le Blanc, Prolegomina p. 19. Jo. Evelyn, of Medals, p. 227.

Concerning the diviſion of the degrees of metal, ſee Rudelius de re Nummeria, cap. 8. Savotius de Numnus Antiquis. part. II. cap. 6.

LIII.

See Nicolſon's Eng. Hiſt. lib. cap. 7. and a narrative by an anonymous author, on Engliſh coin, 1726. Fleetwood, p. 52. &c. Lowndes, 1695.

The precept iſſued by Edward III. is of the following tenor.

" The king to the ſheriff of Northumberland, " Greeting. Altho' the ancient money of Scot- " land was of the ſame weight and allay, as " our money of England before theſe times; for " which reaſon, it was current in our kingdom of " England; yet, becauſe there is certain money, " like to that ancient money, and conform thereto, " which is leſs in weight, and baſer in allay, newly " ſtruck in the ſaid kingdom of Scotland, and is " current in our kingdom; which, if permitted any " longer, will manifeſtly turn out to our own loſs " and defraud, and that of all our ſubjects of our " ſaid kingdom: We, willing to obviate ſuch da- " mage and deſtruction, order you, immediately " on ſight hereof, that you make proclamation in " the cities burghs, market-towns, ſea-ports, " and other parts under your juriſdiction, where " it ſhall ſeem moſt fit to you; and on our part firmly

" firmly diſcharge, that none, under our higheſt " forfeiture, preſume to receive in payment the " forſaid new money of Scotland, juſt now ſtruck, " or to be ſtruck; but, immediately, when it ſhall " be offered in payment, to be current with our " money, in whoſe ever hands it be, it be ar- " reſted, and remain forfeited to us. But we " will, and it is our intention, that every one " may be allowed to purchaſe the ſaid new mo- " ney for value, that it may be brought into " our mint, there to be melted down, and mo- " ney to be received of our coin for the value " of the ſaid money, ſo melted. And, if you " ſhall find any one making uſe of the ſaid new " money of Scotland, in any other manner of " way than above, after the iſſuing of this pro- " clamation and prohibition, then to ſeize on " ſuch perſons, with the money, and detain them " in priſon, and anſwer to us for the money, " which you have cauſed ſo to be arreſted, and " that you certify us of the names of the perſons " arreſted, and of the money ſo arreſted, from " time to time. Rymer, tom. 5. p. 813.

See Raſtali ſtatuta Angliæ, title *Moneta*, fol. 277. compared with Rymer's Fædera, tom. VII. p. 41.

LIV.

See Anonymous Hiſtory of Engliſh money, p. 6.

Stow's Hiſtory of England, p. 200. alſo Fleetwood, p. 46. Simeon of Durham ſhows, that the half-pennies, at leaſt, in Henry I.'s time, were made round. Nicolſon, in Scot. Hiſt. lib. p. 307. ſays, he had a very ſmall piece of money, which he conjectures to be a half-penny of David I.; but,

but, as he ſays, it weighed fourteen grains, I rather think it to be a penny, worn in the edges; becauſe, as it is certain, none of theſe pennies exceeded twenty-four grains, few of them 22 grains; it is not probable, that the half would weigh fourteen grains.

There is in Mr Anderſon's Diplomata, engravings of half-pennies of Alexander III. and John Baliol; which the French and Engliſh, and likewiſe, probably, the Scots, denominated *Mailles*. See Dufreſne, concerning the etymology of this word.

See, concerning the origin of the word ſterling, Spelman, Dufreſne, Lowndes, Nicolſon's Engliſh Hiſt. Library; the laſt of whoſe opinion, is the moſt probable.

Grotes, that is, big or great.

Sutherland's valuable Collection of Coins, depoſited by him in the advocates library.

The half-groat of Edward I. is extremely rare, as no Engliſh writer mentions it.

There is not a more frequent denomination of money in Scotland than the merk, and alſo frequent in England; it ſeems to have had its beginning among the Anglo Saxons, and was, at firſt, accuſtomed to be taken by them for a weight then, and now, for a certain denomination of money. It paſſed to France from England, about *anno* 1093, as le Blanc thinks, p. 150.; but, among the French, it has always been received for a weight of eight ounces, or two thirds of a pound; not for a denomination of money. Thence, among them to this day, weights are numbered by merks rather than pounds. Further, I muſt here obſerve, that there were never any coins of gold, ſtruck of that denomination, but in

Scotland, in the reign of James VI. when ſix pounds Scots was only equal to one Engliſh pound. The half-merk was firſt ſtruck, or a piece of money of ſix ſhillings four pennies, in the year 1572; and laſtly, 1601, when the value of the pound Scots was doubled, whole merk pieces were coined, as was the half, and quarter-merk. Under Charles II. two, and four merk pieces were coined, on the firſt of theſe, XXVI. 8. on the laſt, LIII. 4. were inſcribed. See Dufreſne, and Fleetwood.

LV.

Florins, was, of old, a common name to all gold coin. See le Blanc, p. 9. Nicolſon's Eng. Hiſt. lib. 257. but is now a different appellation of money.

In like manner, various names were put on the gold money among the French, borrowed from the figures on them; as from the figure of a ſheep or lamb, came *angels* and *mutons*; of *maſſes*, from the mace or ſceptre; *pavillons*, from *tents*; *eſcus*, from ſhields; *couronnes*, from crowns, *&c.*

The *Caroluſes* and *Jacobuſes* are of the pureſt gold, ſtruck both in England and Scotland; their value, at firſt, was twenty ſhillings Eng. afterward, the *Jacobuſes* were raiſed to twenty-five ſhillings, the *Caroluſes* to twenty-three ſhillings, by a gradual increaſe; but, when the clipping them could not be reſtrained, all theſe coins were ordered to be called in to the mint, and recoined in new money, in the year 1732, by act of parliament.

LVI.

LVI.

Buchanan, lib. 12. writing of the copper money, coined by James III. ſays, former kings had coined ſome of that kind of money, more for the neceſſities of the poor, than for their own profit. See Nicolſon's Eng. Hiſt. Lib. cap. 7.

The learned Craig, in his Manuſcript on the Union, cap. 5. recounts, among other objections againſt the union, that, at that time, there was no copper coin in England, ſo that, if the Scots and Engliſh money, ſhould afterwards be made of equal value, a conſiderable hurt would be done to the poor, by depriving them of the uſe of theſe ſmall coins; and it was for this reaſon, that James I. cauſed coin money of this baſe metal, which had been done a little before by Henry III. in France. That there was copper coin ſtruck in England and Ireland, *anno* 1339, appears from an order of Edward III. See Rymer's Fædera, tom. V. p. 113.

See Par. 1. cap. 23. James I. and Par. 8. cap. 33.

Black money. See Buch. lib. 12. Leſley, lib. 8. Ferrer. Pedement. in Append. ad Boetium, p. 395. Hume's Hiſtory of the Douglaſſes, p. 226. Ferrarius ſays, That the king was compelled by neceſſity to ſtrike them. Ninian Winzet, againſt Buchanan, p. 239, ſays "That he coined cer-" tain copper money, being obliged to do it by " neceſſity, which the people unwillingly ſubmit-" ted to; I ſhould therefore ſay, that the people " were in a greater fault than the king;" but even this black money, is ordered to be current by act of par. 5. cap. 4. Jac. III.

There are of theſe *atchiſons*, in the cabinet of coins, in the advocates library.

Bodles, is a corruption from one Bothwel, the name of a coiner.

Turners, this name is taken from the French, who were uſed to call their gros, dernier, and doubles, tournois, from the money coined with a great mixture of braſs in the city of Tours.

LVII.

Evelyn ſays, if we except ſome pieces of money, ſtruck on the coronation of two or three of our late princes, on their births, or marriages, we cannot ſhow any piece which deſerves the name of a medal, before the time of Charles I. p. 84.

LVIII.

John Evelyn relates of Charles the Great, that the coiners attended the court.

As to the names of the coiners being put on the money, Obadiah Walker, in his treatiſe on this ſubject, prefixed to Cambden's Britannia, ſhows, that this was the cuſtom among the princes of the Norman line in England, and ſeveral of the Anglo Saxon kings. Andrew Fontan, in his Illuſtration of Ang. Sax. coins, and Thoreſbius, in Ducatus Leodenſis Topograph. p. 340, do alſo ſhow the ſame.

Cardanus, as Evelyn reports, mentions a Venetian tradeſman, who had contrived that machine of the mill and preſs, by which the money is ſtamped, cut, and rounded, by one and the ſame operation. Pighius, in Herculo Prodicio, p. 156. deſcribes, very elegantly, that machine invented at Hall, by which money is ſtamped, which he ſaid he ſaw 1574. See Lowndes.

Upon

Upon the ſtatute of David II. no ſmall doubt ariſes; for, if this pound of David's had been of the ſame weight with the pound of Robert I. his father, which contained fifteen ounces Engliſh, at the ſame time that the Engliſh pound conſiſted of no more than twelve ounces, as it now does; and thus, the Scottiſh pound was three ounces heavier than the Engliſh pound; and it neceſſarily follows, that the pennies Scots of David II. were heavier than the Engliſh pence; which does not ſeem to me, likely, to be the caſe. It muſt, therefore, be ſaid, that the Scots ſeem to have made uſe of the Engliſh pound in weighing their money, not their own pound.

The dowry to king James IV.'s queen, is to be found in Rymer's Fædera, tom. XIII. p. 57. and Haddingtoun's Collections, manuſcript, advocates library, p. 291, and 386.

That the Scottiſh money was ſomewhat diminiſhed in James V.'s time, appears from theſe acts of James III. and IV. That out of one ounce of ſilver, money was to be made which ſhould be current for 140 pennies or eleven ſhillings eight pennies; but in England, at the ſame time, according to Lowndes, p. 41. and Fleetwood, p. 53. the value of money coined out of one ounce, was only three ſhillings, one penny half-penny. It neceſſarily follows, that the pound Engliſh ought to have equalled three pounds, two thirds, Scots, more in value; but, how it ſhould have happened, that the extrinſic value of the Scottiſh money, which had grown to quadruple, almoſt, of the value of the Engliſh money, and within twelve years thereafter, was reduced to triple the proportion when compared with it, I can aſſign no other reaſon, but one of theſe two, either, that the king of England

land had permitted his money to be adulterated, though no authors ſay ſo; but which was not very improbable for ſuch an avaricious prince to do, or he had ſome other way increaſed its value; or that the Scots, contrary to their uſual cuſtom, had leſſened its price; but, probably, what occaſioned this, was the luxuriant plenty of corn and fruit, which Buchanan mentions, lib. 13. to have happened at this time, but more eſpecially, that moſt beneficial commerce, ariſing from the fiſheries, which James VI. ſolicitouſly took care to encourage. See James VI. par. 4. cap. 49. by which trade, there was brought into Scotland ſuch a great plenty of gold and ſilver, if we believe Sir James Balfour, in his Manuſcript Annals, that the quantity of money was tripled in Scotland at this time.

Henry Balnaves, who was choſen one of the ſenators of the college of juſtice, 1562, and in the year 1568, was one of the ambaſſadors, who, together with James Stewart, earl of Moray, then regent, were ſent to York to treat with the ambaſſadors of Mary, and of Elizabeth, concerning the affair of Mary, queen of Scots.

Sir James Balfour's Waſte-book, written with his own hand, concerning the money affairs in Scotland, preſerved in the advocates library; and of which, Nicolſon makes mention in his Scots Hiſt. Library, p. 292.

The contract betwixt Dunbar and Sutherland, is in the chartulary of Moray, fol. 118. in the advocates library.

Indenture betwixt Henry VIII. and the earl of Lennox, is in Rymer's Fædera, tom. XV. p. 29. Compare biſhop Keith's Hiſtory of the Reformation, vol. I. p. 36.

The

The act of privy council, 1556, is in Haddingtoun's Collections, in his Parliamentary Col. fol. 123.

Fleetwood's Chron. Precioſ. p. 53.

Sir Thomas Craig has theſe words, "That, "while I was a boy, four of our Scottiſh pennies "made one Engliſh penny." Craig was born 1548.

If we credit the anonymous author who wrote the hiſtory of the four regents in the minority of James VI. Morton, before he was regent, cauſed half-merks, and quarter-merks of ſilver, very much debaſed, to be coined at Dalkeith, long current in Scotland. See Manuſcript fol. 56. in the advocates library; he further relates, p. 80. That while Morton governed the kingdom, he never would take nor receive in payment of the king's rents and revenues, any but the beſt kind of money; but, in payment of tradeſmen, and merchandiſe, he forced that adulterated money to be taken, againſt all honour and honeſty.

The act, 25th July, 1571, is among the unprinted acts.

The ſame regulation was obſerved 1583, for, in a written inſtrument, 22d October, that, by which the king ſets in tack all the mines in Scotland, to Euſtache Roghe, phyſician, and company, the ounce of the pureſt gold was taxed at L.22 Scots, and of ſilver, at 40 ſhillings, of ſame money. See Hadding. Col. fol. 203, and 299.

Abercromby, in his preface to his tranſlation of Monſieur Beague's Hiſtory of the Scottiſh Wars, 1548, and 1549, p. 28, ſays, he found from the regiſter of the mint in Scotland, that, within the compaſs of one year, during the reign of James VI. there was coined one hundred and nineteen

ſtone

ſtone of gold, or 1094 pounds in weight; but of ſilver 986, that is, 15776 pound, which ſums, reduced to the value of our preſent money, (1738) would make L. 133633 ſterling; but what makes it almoſt incredible, that ſuch a great quantity of money ſhould be coined in one year, is, that there was a far leſs plenty of that kind of riches at that time, in Scotland, than among our neighbours of France or England; for ſure, among the Engliſh, all that 22 years, which James VI. reigned, as Lowndes, p. 53, relates, there was not above one million ſeven hundred thouſand pounds ſterling of ſilver coined, that is, about ſeventy-ſeven thouſand two hundred and ſeventy-two pound each year: add to this, before, the greateſt part of the current coin, then in Scotland, was foreign coin, brought from other nations, and not money coined in Scotland. It remains then, in order to credit Abercromby, that we muſt ſay, that this coinage was made in the year 1601, in which year, the whole current coin in the kingdom of Scotland, was called in to the mint; neither can we determine any thing certain, of the total quantity of the current coin then in the kingdom, from the great plenty of money, ordered to be coined in that year; for, notwithſtanding this order, many ſilver coins, coined before that period, in Scotland, had a free currency, and were refuſed by none till the union, 1707: this is a certain fact, known to many.

It appears from Lowndes's Eſſay, p. 106, that the Engliſh coins had loſt the one half of their weight by this villanous fraud of clipping; he alſo gives this reaſon, why the price of gold roſe beyond the proportion theſe two metals bear to each other, that the Engliſh were always more inclined

inclined to eſtimate their gold to a higher value than it ought to have been.

LXI.

Kennet, in his Parochial Antiquities, p. 603. and Fleetwood's Chron. pretioſ. p. 175. illuſtrate by a variety of examples, the damages ariſing from theſe imprudent tranſactions of taking *compoſitions*.

Tranſlation of the charter of EDWARD I. to William de Maule of Panmore.

Edward, ſuperior lord of the kingdom of Scotland, to his beloved maſter, Alan de Dumfres, chancelor of Scotland, Greeting. Whereas, of the ſum of L. 122, 10 s. which our loved and faithful William de Maule de Panmore, held of us in Scotland for his Relief; we have forgiven to the ſaid William L. 82, 10 s.; and, that it is granted to him, to account to us out of the remaining L. 40 by the hands of the chamberlain of Scotland, at the feaſt of Martinmas, in winter next to come, for twenty merks; and, at the feaſt of Whitſunday firſt following, for twenty merks; and, at Martinmas, next after, for twenty merks. We order you, that you direct the foreſaid chamberlain, appointed by our letters, under the ſeal of the regency of the kingdom of Scotland, that he receive from the ſaid William, the foreſaid L. 40 and cauſe the ſame to be ſtated in his rolls of accounts. Given at Berwick upon Tweed, XI day of July.

From what has been ſhown, it may be ſeen how undeſervedly our good king David I. has been uſually blamed, that he very much waſted the royal patrimony, by founding many monaſteries,

and by enriching them with ample revenues; for, in the firſt place, the wealth which that religious prince ſpent in pious uſes, was not ſo great or immoderate, according to the manner of the times. Next, his munificence for promoting of religion, did not ſo very much burden his royal patrimony, that there did not remain an income abundantly ſufficient for ſupporting the royal dignity, and ſupplying other public expences. For, from what we have ſhown concerning the different ſtate of the value of money in Scotland, at various times, I think, none will have the leaſt doubt, that the royal patrimony, in the time of David I. was not only wealthy and rich, but even twenty times, at leaſt, richer than it was in the time of James VI. from the increaſe of the value of money in Scotland, and which proceeded, likewiſe, from other cauſes.

See Vaughan's book concerning the money and coinage in the time of Charles I. p. 50, 173, 176. publiſhed, London, 1675; alſo Budeus's Increaſe and Decreaſe of gold and ſilver, and how to prevent theſe; le Blanc, of French money, p. 472, where advices are given to Henry III. *anno* 1575, concerning the diſturbances among the nobility, ariſing from changing the value of money, and the remedies for preventing them.

Concerning TABLE I. It is firſt to be noted, that, in order that the proportion, obſerved betwixt the gold and ſilver money, at different periods, may be the more eaſily underſtood, it ſeemed preferable to diſtinguiſh the purity or fineneſs of the gold coin, by ounces, penny-weights, and grains, rather than into carrats, and their fractions; and the rather, that, as we informed above, the maſter coiners were not uſed, as the Engliſh,

to

to divide the fractions of carrats into four grains, nor, as the French, into one half, one fourth, and one eighth, *&c.* but uſed to follow the cuſtoms of the Germans, by dividing the carrat into twelve grains.

2d, note, The Scottiſh mint acts and accounts being loſt, we have no other rule to follow in defining the prices of the gold coins, and the proportion they bore to the ſilver under Robert II. and III. and ſometimes under other kings, except analogy, that is, than the proportion or rate theſe coins bore to each other, either among the Engliſh, or, at other times, among us in Scotland; and thus, we hope, we have not gone beyond the bounds of truth.

3d, note, Fleetwood differs in a few things from our computation, who ſays, in his Chronicon Pretioſum, p. 26. That the ſame proportion was kept, in England, betwixt the gold and ſilver, from the time of Edward III. to his time, that is, the proportion as fifteen to one. But, with ſubmiſſion to ſo accurate a man, he is miſtaken in this, that he does not apply theſe to his own time, nor has any regard to the allay mixed with the one or other metal; for, if he had compared the pure gold with the pure ſilver, which he ought to have done, he would have found out, that things were quite otherwiſe than he relates; for, by this means, according to his, and Lownde's calculations, (to illuſtrate this by a few examples) the pound of gold, *anno* 27 Edward III. equalled in

value, 11 pounds, 1 ounce, 17 penny-weights, 22 grains; but in,

Anno regni.	*lb.*	*oz.*	*pw.*	*gr.*
9 Henry IV.	10	3	19	13
36 Henry VIII.	6	9	16	8
37 Henry VIII.	5	—	—	—
4 Edward VI.	2	—	2	13
2 Elizabeth,	11	1	17	22
43 Elizabeth,	10	11	9	13
1 James,	12	2	9	15
22 Charles II.	14	5	16	11
anno 1738,	15	2	10	7

which laſt, is the proportion betwixt gold and ſilver throughout all Europe.

Such as are deſirous to know the various proportions betwixt gold and ſilver, among different nations, may conſult Budeus, lib. 3. Matthæus Hortus, in Hiſt. Ant. Num. lib. 5. Gronovius de Pecun. vet. lib. 11. cap. 7. Vaughan, cap. 4. who fixes the proportion to be the ſame among the Engliſh as with us. Doctor Arbuthnot's Diſſertations, cap. 6. But, principally, as to what relates to the ſtate of money, in moſt places of the world at this day, conſult the calculations of Sir Iſaac Newton, written while he was maſter of the mint in England, 17th September, 1717.

Notes on TABLE II.

(*t*) From manuſcript copy of our old laws, in the advocates library, in which the aſſize of bread, or the quantity of it to be ſold for one half-penny, is regulated from the price of a boll of wheat, which was from ten pennies to three ſhillings. Leges Burgorum, cap. 120.

(*u*) Idem, of the aſſize of wine, cap. 134.

(*x*)

(*x*) Of ditto, of malt liquor or ale, cap. 135.

(*y*) In lib. 3. cap. 16. Regiam Mageſtatem.

(*z*) Idem, lib. 4. cap. 31. the word *juvenca*, is rendered in the Leges Malcolmi, cap. 7. by the word *colpindach*, and is valued to thirty pennies. See Nicolſon's Scots Hiſt. Lib. p. 109.

(*a*) Reg. Mag. lib. 4. cap. 31.

(*b*) In the beginning of the manuſcript chartulary of the abbacy of Kelſo.

(*c*) Idem.

(*d*) Theſe prices of wheat, rye, *&c.* are to be found in the Black Acts, James I. cap. 11. omitted in later editions.

(*e*) Theſe prices are to be found in the larger chartulary of Aberbrothock manuſcript, advocates library, fol. 126. *ad annum* 1489.

(*f*) See chartulary of Cambuſkenneth manuſcript, in ſaid library, fol. 91.

Notes on TABLE III.

(*g*) In the bull of pope Paul III. 4th ides March, 1535, the ſalary ordained to be paid to theſe judges by the clergy, is ten thouſand ducats of the chamber, which are ſaid to make L. 1400 Scots, or L. 350 ſterling; which, by the bye, confirms what I noted before, to wit, that four pound Scots made a pound ſterling. By this method, the ſalary, yearly, payable to each of the fourteen ſenators, was nearly L. 22 ſterling, but, to the preſident, double that ſum; in preſent Engliſh money, to the firſt, L. 28, to the laſt, nearly L. 56 ſterling; nor need we wonder at ſo ſmall a ſalary, not adequate to ſo great a charge appointed for theſe judges; when, it is clear, from Fleetwood, in his Chronicon Pretioſum, p. 155. That the ſalary of the judges in England was not much greater

er than theſe; beſides, it appears by that bull, that the king was allowed to make proviſion for the ſupport of theſe judges, to the extent of L. 200 yearly, out of the vacant benefices, over and above other donations to be made by him to them.

(*h*) The Scots pint contains, almoſt, four Engliſh pints, and contains ſomewhat leſs than the Roman *ſextarius*.

(*i*) See the prices of theſe things, the Acts of queen Mary, par. 5. cap. 11, and 12.

(*k*) The black cock ſeems to be a bird peculiar to Scotland. See Geſner's Hiſt. of Animals, tom. II. p. 460.

As to the agreement for king William's ranſom. See Rymer's Fædera, tom. I. p. 39.

Notes on the Text, LXIII.

See Fordun, fol. 281. and vol. IV. Hearn's Ed. ditto, p. 1319. and appendix, p. 1562. Rymer, I. p. 139.

The Engliſh hiſtorians have made mention of the great dearth of markets in thoſe times, in England; the Continuator of Croyland, p. 518. *ad annum* 1434, thus ſays, "The autumn was too "rainy, from whence ſo great a famine aroſe "in England, and continued for almoſt two "years; ſo that, in many places of the king-"dom, the meaſure or buſhel of corn was ſold "for forty pence." Fabian, in his Chronicle, fol. 190, *ad annum* 1439, writes, That this year there was ſuch a ſcarcity of corn, that, at London, the buſhel was ſold for three ſhillings and four pence; but, as four buſhels, Engliſh, make nearly one boll Scots, at this rate, a meaſure, equal to a boll of corn, did ſell in Scotland, at both theſe times, for one merk Engliſh, that is, of their

their preſent money, twenty-two ſhillings; but, Engliſh authors relate, that corn has ſold often at a higher price in England, at other times. See Fleetwood, p. 78, 92, 119, 123.

LXIV.

The Engliſh money was alſo ordained to be called into the bank; the reaſon was, that it was riſen to a greater value than among the Scots, the crown having riſen to ſixty-five ſhillings Scots, and the half-crown, to thirty-two, one half, ſhillings; and, laſtly, the Engliſh ſhilling, to thirteen ſhillings Scots.

Another remarkable thing, on this ſubject, I heard from Mr Drummond, that the next ſummer, when the chevalier de St George, was preparing, by the aſſiſtance of a French fleet, to invade Scotland; thoſe in power, at that time, under queen Anne, in Scotland, fearing, leaſt, at ſuch a critical time, by all our ſilver money having been brought into our treaſury, or into the bank, a little before, there ſhould be a want of money for the expences of war, they ordered the forty-ſhilling pieces to be again iſſued out of the banks; of which ſort of coin, there was great plenty at that time in Scotland, and commanded theſe to be diſtributed for pay to the ſoldiers, and other exigencies of the public; but when that diſturbance was ſettled, they ordered that kind of money alſo, at laſt, to be brought into the bank; and, on a computation being made, it was found, that the quantity of that kind, brought in the ſecond time, exceeded that which was brought in the firſt time, at leaſt four thouſand pounds ſterling.

In the coinage made in Scotland, in the year 1601, as I conjecture, ſee the note above, the gold

gold exceeded the ſilver more than one third part in value.

In my calculation of the ſum total of money in Scotland at the union, 1707, I except the money coined of copper, which ſcarcely deſerves the name of money, being only calculated to make up fractions of greater ſums, or for carrying on of commerce in things of ſmall value, or for ſupplying the neceſſities of the poor. But yet, I muſt not paſs over in ſilence, that when, in the year 1683, a ſevere proſecution was raiſed againſt the officers of the mint, among many other crimes alledged againſt them, this was none of the leaſt, that, as they were only allowed to coin ſix thouſand ſtone weight, or ninety-ſix thouſand pound weight, they, without the king's authority, had made to the extent of thirty-four thouſand ſtone, or five hundred and forty-four thouſand pound weight, each of theſe pounds to three ſhillings ſterling value. Here it is ſurprizing, that of ſuch an immenſe quantity of coins of this kind, which would have amounted to ninety-ſix thouſand pounds ſterling, *anno* 1738, the greater part whereof, one would have imagined, might laſted to 1738; yet, that then, there ſhould remain ſo few of theſe coins, the reſt having been loſt or conſumed by time, ſo that the ſcarcity of copper money does now occaſion frequent complaints; and likewiſe, an opportunity is given for forging bad money in place of the good. See Sir Patrick Hume's Manuſcript Deciſions, No 472. in the advocates library.

F I N I S.

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